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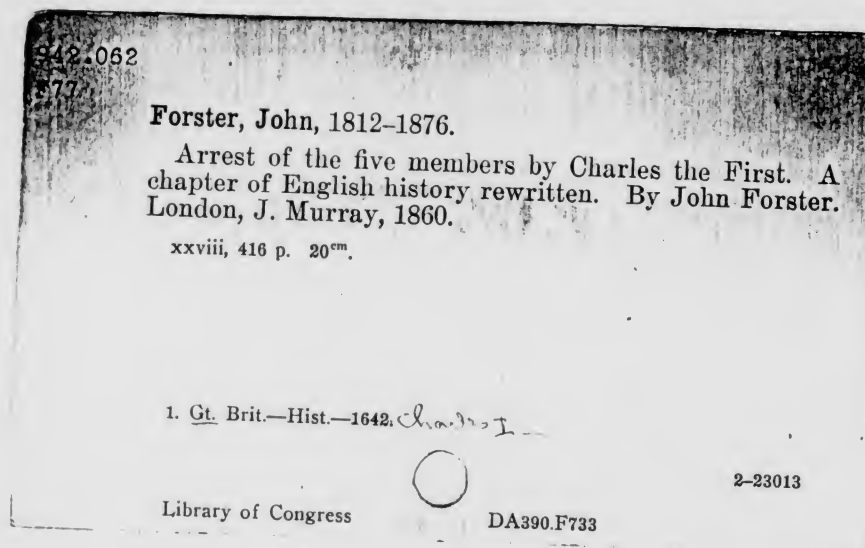
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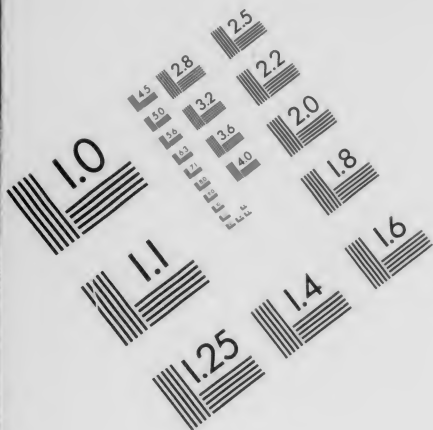
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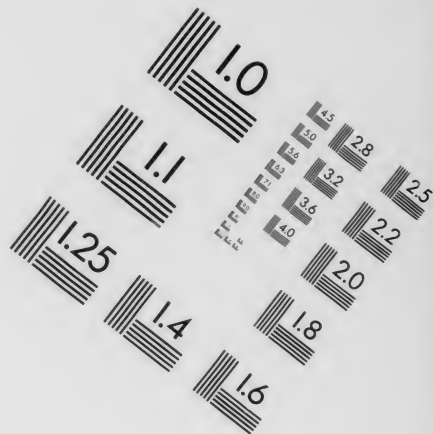
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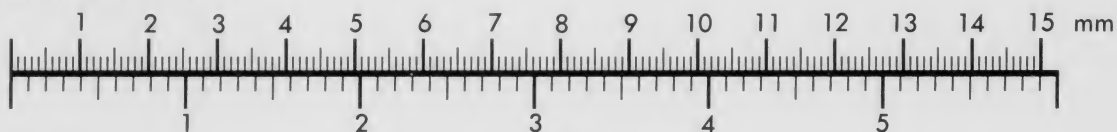
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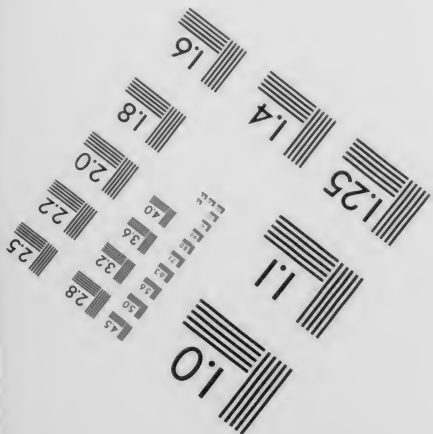
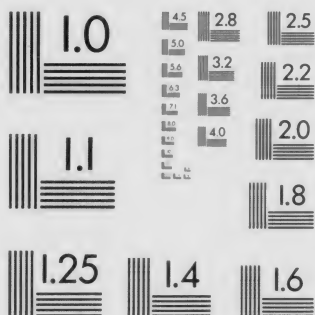
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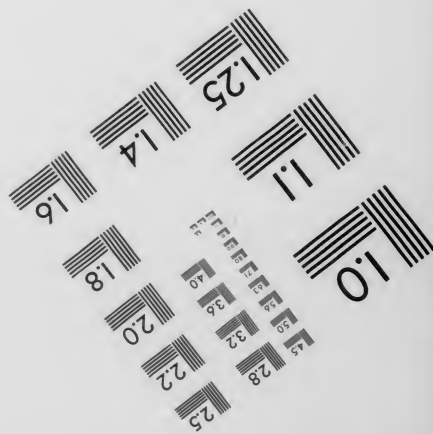
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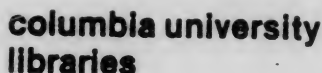


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CHARLES THE FIRST.

A CHAPTER OF ENGLISH HISTORY
REWRITTEN.

BY JOHN FORSTER.

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CONTENTS.

	PAGE
§ I. INTRODUCTORY	I—10
<i>Text.</i> An attempt fatal to its Author: Party misrepresentations of it, 1. Not an isolated Act. Dramatic correctness of the Eikon Basilike. Authorities for this narrative, 2. MS. Illustrations. Admiral Pennington, 3. Pennington appointed to succeed Lord Northumberland. Captain Slingsby, brother of Strafford's Secretary: relates the Parliamentary news, 25th Nov. (1641), 4. A night-long Debate. Sidney Bere, Under-Secretary of State: describes opposition to printing the Remonstrance, 5. Fears of the wife. Narrow majorities in House of Commons. Conflict continued, 6. First great Parliamentary divisions. Protesting with a difference, 7. Mr. Thomas Wifeman to Admiral Pennington, 2nd Dec. (1641), 7, 8. Palmer's protest and punishment. Absentees from the Houses, 8. The majority of eleven. Never more heat in Parliament than now, 2nd Dec. 1641. Minority set up against Majority, 9. Close of the first struggle of Parliamentary party in England, 10.	
<i>Notes.</i> Services to English History rendered by Sir John Romilly. Clarendon's character of Pennington, 3.	
II. THE KING'S RETURN FROM SCOTLAND	10—20
<i>Text.</i> Assertions of Clarendon, 10. The two attempts of the 3rd and 4th January. New State Appointments advised by Lord Digby, 11. A question for enquiry. Suspicions against Falkland, Culpeper, and Hyde. Charges against Pym and Hampden. The King's way of dealing with opponents, 12. Crushing or conciliating, always too late, 13. Treasonable Correspondence of English members with Scotch Rebels. Clarendon's opinion of the five accused, 14. Kimbolton a Scotch Commissioner; narrowly watched by the Court. Lady Carlisle's intercourse with both parties, 15. A dangerous mediator. Doubtful Services. Meetings in Pym's Lodgings, Chelsea, 16. Libels on Hampden. Avowed Rebels pardoned. Suspected Rebels to be impeached, 17. The King's threats against the popular Leaders. Treasons committed in Parliament. Coercing a minority put forth as breach of privilege, 18. Signs of danger abroad. 30th Nov. 1641:	

57161/Barrow's Noble 6/24/39 452

alleged conspiracy to get up charges of Treason, 19. Argument for giving weight to a minority. Alarms generally prevalent. Confidence of the King, 20.

Notes. Lord Digby's friendships, 11. Stratagem of winning by places. Offers to Pym. Their non-acceptance regretted by Hyde, 13. Secret Consultations. Kimbolton's ill company, 15.

§ III. FALSE RELIANCES 21—29.

Text. The Royalist party in the City. Banquet at Guildhall, 21. King's reception thereat. Lord Mayor Gourney made a Baronet. Welcome news for the King, 22. Speaker Lenthall alarmed: wishes to be relieved from Speakership, and to become again the meanest Subject of his Sovereign, 23. Speaker Lenthall to Secretary Nicholas, 3rd Dec. 1641. Invokes the King's sacred mercy. Craves Mr. Secretary's help in lowest posture of obedience, 24. Expects ruin from continuing in the Chair of the House. A willing Dupe. Captain Slingby to Admiral Pennington, 2nd Dec. (1641), 25. Factious Citizens. Fears and misgivings of the best informed, 26. Slingby's Alarm. Wealthy and discontented Citizens: coming in their coaches, 27. Unpopular acts of the Lord Mayor. Second thoughts of Speaker Lenthall, 28. An Under-Secretary's Prayer, 29.

Notes. Ovatio Carolina, 22. Clarendon's opinion of Lenthall, 23. The King and the two Houses. Citizens and M.P.'s. Sir Edward Dering, 26. Character of Sir Ed. Nicholas, 27. Speaker Lenthall to Secretary Nicholas, 28.

§ IV. FATAL MISTAKES 29—39

Text. Foolhardiness of the King. Removes the Guard from the Houses: Gives office to the Leaders of the Minority, 29. Affails Privilege, 30. Interferes with a Bill under discussion. Enforces Laws against Puritans. Remits Penalties against Roman Catholics. Partial execution of the Laws, 31. Resisted by the People, 32. A time for caution. Disastrous Resolve of the King. The Tower and its Governor, 33. Balfour removed. Lunfford appointed: his infamous character: his close friendship with Lord Digby, 34. Object in appointing him, 35. A man to execute anything: and keep the five members, once arrested, safe, 36. Evil forebodings of Sir Simonds D'Ewes. Address voted for Lunfford's Removal. Dismissal of Lord Newport. The Charge against him, 37. Proposal to seize hostages for the King's good Faith. The lie given to Lord Newport, 24th Dec. The lie retracted, 29th Dec. Warnings in the interval, 38. Sudden yielding of the King. Extraordinary determination taken, 39.

Notes. Wifeman to Pennington, 2nd Dec. (1641), 29. Under-Secretary Bere to Pennington, 25th Nov. and 9th Dec. 1641. Court Changes. Same to same, 23rd Dec., 30. Slingby to Pennington, 16th Dec. 1641. Attack upon Newgate. Reprieves of Popish offenders, 32. Windebank's Crime and Escape, 32, 33. Lunfford's Warrant, 34. Clarendon's account of the Appointment. Clouds of words. Digby the scapegoat, 35. Lords who sided with majority in Commons. Duke of Richmond's folly, 26th Jan. (1641-2), 36.

§ V. PYM AND THE KING 39—60

Text. Popularity of the Leader of the Commons. Its causes, 39. Pym imprisoned for his opinions in 1614. A Member of the Parliament of 1620. One of James the First's "Twelve Kings," 40. Rises to the place of Leader, April 1640. Qualities and services which endeared him to the People. Clarendon's Tribute to his popularity, 41. Former intercourse with the King. Negotiations again opened, 42. King Pym: secret influence over King Charles, 44. Songs and Satires against the Parliament, 45. Pym's Constitutional opinions. Alternately held up for avoidance and for example. Characteristics of his Oratory, 46. Chancellorship of Exchequer again offered to him. Pym less extreme than Hampden. The offer made too late, 47. Pym silent as to the King's proposal: rejects it. Sir Edward Dering to Lady Dering, 13th Jan. 1641-2, describes Charles's overture to Pym, 48. Culpeper receives what Pym had declined, 1st Jan. (1641-2), 49. Old Vane finally dismissed, 50. Revenge for Strafford. Young Vane also dismissed, 51. Captain Carterett. Young Vane succeeded by a friend of Strafford. Captain Carterett to Pennington, 23rd Dec. 1641. Pym welcomes Old Vane into the popular Ranks, 52. Under-Secretary Bere to the Admiral, 23rd Dec. The Commons resent Young Vane's dismissal. Previous offer to Pym and his Friends, July (1641), 53. Former attempt to give office to Leaders of the Commons. Not a mere expedient for saving Strafford: renewed after Strafford's execution. Hollis or Hampden named for Secretary of State, 15th July (1641), 54. Negotiations with popular Leaders kept open. Distribution of offices settled, 29th July (1641), 55. Preparation for the new Ministry. Making provision for the worst, 56. A sequel almost too strange for belief. Present from the Admiral. Nicholas to Pennington, 29th July (1641), 57. Why Nicholas objects to Ecclesiastical Reform. King's proposed journey to Scotland: objected to by the Commons. The new Ministry expected: Hampden, Pym, Hollis, and Lord Saye and Seale, 58. Nicholas about to retire: but does not retire. Why both attempts to conciliate popular Leaders failed. The rock

they split against, 59. A warning for Pym to act upon. The warning taken, 60.

Notes. Sir R. Cotton's sufferings at seizure of his Library.

The 1620 Parliament, 40. Why King's efforts to conciliate failed, 42. Royalist libellers of Pym. Doings when Pym was King. A proposed enactment, 43. Pym chides members for late attendance. Is happiest in Storms, 44. Pym and the "King's Daughter." Pym's Picture. Must avoid Heaven for fear of Bishops, 45. Pym's last resting-place, 46. Pym not adverse to the Church, but to Arminian practices, 47. Camden Society Books. Windebank to his Son, 17th Dec. 1641. Secret understanding with the Queen, 49. Windebank's grief at losing place. Same to his Son, 24th Dec. A fellow feeling, 50. Admiral Pennington looking for Young Vane's office. Captain Dowse to Pennington, 30th Dec., 51. Why Carterett was named Vice-Admiral by the Parliament, 52. Secretary Nicholas to Pennington, 54, 55. Sidney Bere to Pennington, 30th July, 1641. Notice to quit Whitehall. Proposed Viceroy during the King's absence. Consolations of a retiring official, 56.

§ VI. THE WESTMINSTER TUMULTS 60—67

Text. Publication of the Grand Remonstrance. A Fast Day, 22nd Dec. (1641), 60. How the King celebrated it. Discontented Holiday Crowds, 61. Sea and Land Storms. A religious war talked of. Lunsford's appointment cancelled. Too late. Memorable epithets first invented, 62. First blood shed in the Civil War, 64. Cause of sudden Assemblages in Westminster Hall, 65. Party statements. Who were the first Aggressors, 66. True beginning of the Civil War: in the attempt to destroy the Parliamentary Leaders, 66, 67.

Notes. Cavalier: Origin and Meaning of the Word. The King complains of its use. Roundhead, 63. William Lilly's evidence. The King's secret revealed. A Belief or Superstition. Character of Puritans, 64. What Lilly observed of the Tumults. A Parliament the People's only hope. Secret Counsels, 65.

§ VII. CITIZENS AND SOLDIERS IN THE HALL . . . 67—81

Text. Monday 27th Dec. 1641. Severity of the Winter, 67. Tempest at Sea. Mr. Thomas Smith to Pennington, 30th Dec. At Whitehall Gate 29th Dec., 68. Exasperation of the People. Jesuitical Faction strong in the House. The Under Secretary to the Admiral, 30th Dec. Confusion and fears, 69. Lunsford knighted and pensioned upon his removal. Blood shed 27th Dec. Courtiers ordered to be armed, 70. Share in the tumults taken by Citizens and Apprentices,

70, 71. What Mr. Bramston saw 27th Dec. Provocation to the People, 71. Soldier assailants. Volunteer Guard to the King. Clarendon's opinion of them, 72. Component elements of the Guard. The King's unseasonable acceptance of their Service. Citizens insulted and assailed by them, 73. Cuts and slashes drawing blood. Plain meanings to Clarendon's speech. Eager encouragement to attack on Citizens, 74. Abettors of the Outrage. Design in encouraging the Whitehall Desperadoes: to draw together a standing Guard, 75. Admissions by the King 9th March 1641-2. Witnessees above suspicion, 76. A mad Christmas. Excuses for the Whitehall Guard. Unpopularity of Sir John Biron. Citizens chafed about the Hall by armed Soldiers, 77. Affray in the Abbey Dec. 28th. Unprovoked outrage by the Soldiers 29th Dec. Gentlemen armed crowding the Court: 500 volunteer Lawyers: 30th Dec. Charge against Lord Bristol, 78. No blood shed by the Citizens. A fighting Archbishop, 79. Incitements to violence. Shops closed, and all men arming. Dangerous Beliefs, 80. A terrible responsibility, 81.

Notes. Fierce Frost in Paris: Windebank to his Son, 67, 68. The Pension and Knighthood to Lunsford, 70. Archbishop Williams, 71. Slingsby's Ship at Spithead. His brother's connection with Strafford, 76. His error relative to the Citizens, 77. Entry from D'Ewes's Journal, 79.

§ VIII. WHAT WAS PASSING IN THE HOUSE . . . 81—88

Text. First day of the tumults, 27th Dec., 81. Second day of the tumults, 28th Dec. Lord Newport's dismissal debated. Oliver Cromwell speaking, 82. Denounces the Earl of Bristol. Denzil Hollis attacks Lord Digby. Lord Digby's complicity with attempts of 3rd & 4th Jan., 83. No acquittal of Lord Digby intended. Resolution on his Impeachment. Long silences in the House. Tuesday 28th Dec., 84. Wednesday 29th Dec. Cromwell as to officering of the Army. Threats of French Interference to put down English Liberties, 85. Insolence of a French Priest. Court Secrets known to the French. French Information, 86. Warning from a Prisoner in the Gate House, 87. Prison for Jesuits and Recufants. The danger known to Pym, 88.

Notes. State of D'Ewes's Journal in the Harleian MSS, 81. The Spanish Match, 82. Irish military appointments, 85. John Marston to Lord Kimbolton: Nature of his Communication, 87. Attack on the Parliament expected, 88.

§ IX. THE BISHOPS SENT TO THE TOWER . . . 88—105

Text. Thursday 30th Dec., 88. Message from the Lords. Protestation of the Bishops, 89. They retire from the House: and protest against Proceedings in their absence, 90, 91.

Effect of Protest. An opportunity desired by the King. "Mobs" for two days only. Amount of provocation given, 92. What the Bishop of Norwich saw and heard. Fright given in the House itself. Some Lords advising, 93. Lord Hertford alarms the Bishops. Other Lords smiling. What passed at Williams's Lodgings. "Unfortunate" Accident, 94. Charles and his Lord Keeper at Whitehall. Accident or Design? A surprise for the Bishops. What Cromwell thought of the Protestation, 95. The Bishops characterized by Cromwell. General feeling at the time, 96. Clarendon's opinion as to Impeachment. Contemporary Accounts. Slingsby to Pennington, 97. His opinion of the Protestation: even Bishops' friends averse to it. Bere to Pennington, 30th Dec. Committal of the Bishops, 98. "Our deplorable condition." Prays the great tempests have left the Admiral safe. Mr. Thomas Smith to Pennington, 30th Dec. Endeavour of Bishops to undo what Long Parliament had done, and compel a dissolution, 99. Williams compared to Achitophel. Complicity of Lords Bristol and Digby. Real drift of the Protest. Prompt action of the Lords, 100. A conference. 30th Dec. 8 o'clock p.m. ten Bishops sent to the Tower, 101. Laud and Williams within the same walls at last. Door shut on persecuted and persecutor. Caricature of Williams as a Decoy Duck, 102. A witty conceit: Laud's enjoyment thereof. Perhaps his last gleam of mirth, 103. D'Ewes sees the Bishops' Bench turned into lumber. Is glad they no longer call themselves "Lordships"; and would keep them where they are, 104. "Close air" at Charing Cross, 105.

Notes. What the mob did to Archbishop Williams. Evidence of Bramston, Hyde, and Hacket, 89. Hacket's *Scrinia Referata* described. Useless Knowledge. Written during the Protectorate. Attack on Milton, 90. A schoolboy scribbler. Shakespeare not known. Praise of Jonson, Chaucer, and Spenser, 91. How the Protest was signed, 95. Case against the Bishops. Themselves to thank for their unpopularity. Their violence and passion 17th June 1641. A true prediction, 96. Great Storms raging on the coast, 99. Hacket's lament for the Bishops. No love of Bishops among the Lords, 101. Debate as to calling in Bishops of Lichfield and Durham, 102. The two Archbishops exchange Civilities in the Tower. Caricature of Williams as Church Militant, 103. Disadvantages of the Black Rod, 105.

§ X. SHADOWS OF THE COMING EVENT . . . 105—112

Text. House of Commons Dec. 30th (1641), 105. Members delighted by the folly of the Bishops, 105, 106. Members alarmed by a suggestion of Pym's. Objection made by D'Ewes, 106. A strange motion expected: which follows accordingly,

106, 107. Pym's Speech. The remedy for danger. Necessity for an immediate Guard, 107. The whole truth not told. Report of Pym's Speech by D'Ewes. A design to be executed: Plot for destroying the House of Commons. Adjournment to Guildhall proposed, 108. D'Ewes opposes departure to City. "Let us not be taken together." The design near or distant? Friday 31st Dec. (1641), 109. Demand for Guard under Lord Essex, 109, 110. No reply. Halberts meanwhile provided. Committee to receive reply. Saturday 1st Jan. (1641-2), 110. A Council at Whitehall. Falkland and Culpeper sworn into their offices, 111. Consequences and responsibilities incident to office at such a time, 111, 112.

Notes. Dates of New Appointments, 110, 111. Culpeper Chancellor of the Exchequer. Falkland Secretary of State, 111.

§ XI. THE IMPEACHMENT BEFORE THE LORDS . 112—118

Text. Monday 3rd Jan. 1641-2. King's message to Commons refusing Guard. Attorney-General delivers impeachment to the Lords. Introduced by Lord Keeper Littleton, 112. The Seven Articles of Treason. i. General Charge. ii. Authorship of Remonstrance. iii. Tampering with the Army. iv. Invitations to the Scotch. v. Punishment of protesting Minority. vi. Raising Tumults. vii. Levying War, 113, 114. Agitation among the Lords. Immediate action taken. King's demand refused. Agreement with Commons, 115. Lord Kimbolton repels the Charge. Lord Digby silent, 116. Failure in courage or good faith: Clarendon's charge against him, 117. Digby affects surprise: and suddenly quits the House, 117, 118.

Notes. MS. Articles of Treason in State Paper Office, 114, 115. Date of transmission of Petition of both Houses for Guard, 115. Charles's answer thereto. Not Lord Essex, but Lord Lindsey: the most devoted of Royal Partizans, 116.

§ XII. THE IMPEACHMENT BEFORE THE COMMONS . 118—126

Text. D'Ewes in the Lower House. Pym speaking to the King's refusal of a Guard. D'Ewes's hurried and unfinished Reports, 118. Suggestion for a City Guard. Fragments of Pym's Speech. Pym and Hollis informed of outrage at their homes, 119. Their and Hampden's Papers seized by King's Warrant: Declared a breach of Privilege. Resistance justified. Resolution against Seizure of Private Papers, 120. Violation of Law as well as Privilege. The new Ministers silent. Hyde absent. No opposition attempted. The King's Serjeant at the door of the House, 121. Enters, without his Mace. Demands the five Accused. No Debate. Composure of the House, 122. The Serjeant ordered to wait outside. Deputation to carry Message to the King: The accused will answer any legal Charge, 123. The Five Accused

ordered to attend daily. Resolution for Military Guard out of the City. Venn and Pennington sent to the Lord Mayor. Day declining, 124. Seals affixed by King's Warrant to be broken. King's Agents who seized Papers to be imprisoned, 125. Last Act of the House on 3rd Jan^r, 126.

Note. Sir Wm. Killigrew and the diamond hat-band and ring, 125.

§ XIII. WHAT FOLLOWED THE IMPEACHMENT . . . 126—129

Text. Interview with the King. A Promise for next day. Authority for Scene to be described, 126. Admixture of true and false. View taken by Mr. Hallam: how far credible, 127. Did the King act apart from all advice? Were Attorney and Keeper wholly ignorant? What Strode thought of their participation, 128. Proposed attempt of the 4th not secret to the last. Discussed the previous night, 129.

Notes. Ill advisers. Mr. Hallam's view not consonant with character of the King, 127. Mr. Attorney's Excuses to the House: disbelieved by Strode, 128. The Queen's Attorney put forward. "Shut the door," 129.

§ XIV. SCENE IN THE QUEEN'S APARTMENTS . . . 129—139

Text. Ill Advisers, 129. Papists and women. Statement of Madame de Motteville, 130. Warning to the Accused from French Ambassador. Effects of Queen's intermeddling. Her designs suspected by the Commons, 131. Suspicions proved true. Clarendon explains her desire to have the Members impeached, 132. To save herself from Impeachment. Lucy, Countess of Carlisle: her daily intercourse with Pym and Kimbolton after Strafford's death, 133. Retribution for betrayal of her friend: Betrays the Court to the Commons. Her conduct explained by her character, 134. Her brother Northumberland. Sir Philip Warwick's Scandal, 135. A suggestion more probable. Doctor Bates. Privy Counsellors said to have advised the King, 137. King and Queen on the night of the 3rd January: On the morning of the 4th. Lady Carlisle closeted with the Queen, 138. The One hour. Queen betrays her Secret. Lady Carlisle betrays the Queen, 139.

Notes. Henrietta's conduct on the return from Scotland. May the Historian, 130. Charles misled, 131. Abstraction of the Crown Jewels, 132. A Courtier's view of the Impeachment and Arrest. Busy Stateswoman become She-Saint, 135. No ground for Warwick's Libel. Pym's unpuritanic manners. "Roundhead" explained by Baxter, 136. "That roundheaded Man," 137.

§ XV. COUNCIL ON THE NIGHT OF THE 3RD OF JANU-
ARY 139—154

Text. The night's debate: Who were present? 139. Testimony of Sir Arthur Haselrig. Gratitude to Lady Carlisle. Rage of the Queen. What Philosopher Hobbes says, 140. Direction in which to look for motives and objects of attempt of 4th January. Not so rash as supposed, 141. Position of the King after failure of attempt of the 3rd January. Challenge taken up by the Commons. Difficulty of retreat. Alleged Evidence to support the Charge, 142. False Step irretrievable within limits of Law. Nature of the act already committed. One way to recover ground, 143. Renewal of attempt with means to enforce it. Foiled only by Lady Carlisle's warning. Idea of resistance inseparable from proposed attempt, 144. The King incapable of a wise fear. Issue raised, one of violence: reason why House withdrew its members, 145. Source of Queen's self-reproach: not prevention of attempt, but interception of consequences. Previous preparations at Whitehall and in the City, 146. Evidence of Captain Langres. Assistance sought from Inns of Court, 147. Killigrew sent round with Copy of Impeachment, 148. What the new Ministers thought of the guilt of the accused, 149. Objection to arrest only after its failure. Hyde employed to justify it. Misrepresentation of the case, 150. No privilege claimed against Treason. False Issue raised, 151. Indemnity from Treason never claimed. Method of proceeding only objected to. Culpeper's confidence to Dering. Charles's trust in his new Counsellors, 152. Imputation against Hyde and his friends. Believed to be "Contrivers" of the Arrest, 153. Their mode of objecting and denying: no evidence of "detestation" of the Deed, but rather proof of indirect participation, 153, 154. Stake played for and lost, 154.

Notes. "Littel Vil Murry," 139. May, and Hobbes, as to a demand for names of King's Advisers, 141. What Hyde thought of the Arrest: and what he would have done himself, 142, 143. Whitelock's view. Extent of danger prevented by Lady Carlisle, 145. Inns of Court Volunteer Guard. A troubled midsummer: 1628. The country on the eve of Resistance. Royal letter to Benchers of Gray's Inn, 147. Desire to have all citizens exercised in arms. Defect to be supplied, a want of discipline. Law Students not to neglect Studies, but to occupy leisure and vacations, 148. What Falkland, Culpeper, and Hyde would have done with the Five Members: Seized them separately, and sent each to a different prison, 149. "Gentleness" of the King's attempt alleged by Clarendon. An act of favour, 150. Another sketch from same hand. The King's style of writing, 151.

§ XVI. MIDNIGHT VISIT TO THE CITY PAGE
154—160

Text. Secretary Nicholas consulting late with the King, 154. Provision against tumults next day, and against demand of Commons for Guard, 154, 155. Order of House for City Train Bands. Counter Warrant signed by the King. Grave Evidence against the Court, 155. Order to Train Bands to fire on the Citizens: Intercepted, and not published until now. Why not put in force. Reached the City too late, 156. Fortunate accident for the King. What might have been History. Copy of the Warrant. Reference to Five Members, 157. Train Bands called out for the King. All Gatherings of Citizens to disperse: On refusal, to be fired upon. Letter of Nicholas's Agent, 158. Whitehall clocks behind time. Anticipated by deputation from Commons? Past midnight at the Tower. Any further *private* Commands? 159. Inferences from Agent's Letter. Preparations for the morrow. Memorable day, 160.

Note. Interlineation by Secretary Nicholas, 158.

§ XVII. MORNING OF THE 4TH OF JANUARY PAGE
160—175

Text. House of Commons: Falkland reports King's Message, 160. Motion as to King's tampering with Inns of Court. Four Members sent to the Four Inns. Grand Committee, 161. Pym replies to Articles of Treason. Allusion to Strafford. Charge of bringing over the Army to Parliament: less treasonable than overawing Parliament by Army, 162. Comparisons invited. Avows publication of Remonstrance. Accepts the guilt and responsibility. As to charge of levying arms against King, 163. As to apprehending delinquents. Guilty of defending Christ's doctrine, and orthodox Church government. Judgment desired from the House. "Well moved." An ominous question, 164. Has not breach of privilege been committed? Hollis, Haselrig, and Strode, defend themselves. Strode's Speech. Haselrig's: his reference to Scottish Treason, 165. Hampden speaks. Justifies resistance. Defines ill and disloyal, good and loyal subjects. Unaccustomed Emotion, 166. Where Hampden looked for true Religion. In the two Testaments. The Protestant Church true. Bible alone needful to Salvation. Traditions and superstitious devilish. The Romish Church false, 167. A Creed to live by and die for. Hampden's change of bearing. Secrets of his character revealed. Waiting his time. Charges by Hyde and D'Ewes, 168. "Serpentine subtlety." Imperfect and prejudiced judgments. What Hampden really was. Admissions of Clarendon, 169. Highest power of Statesmanship. A leader and governor of men, 170. Change in Pym as well as Hampden after accusation of Treason, 170, 171. All thoughts of moderation

gone. No compromise possible. A memorable friendship. Remark to Hyde. Advantage of knowing one's friends, 171. Conference with the Lords demanded. Impeachment denounced as a scandalous paper, 172. The Whitehall Guard an interruption to free debate. Composedness of the leaders of the Commons. Gatherings of armed Men near the House, 173. Pym moves a deputation to City. Deputation departs. No man to know its errand. Alarm still increasing. Adjournment for an hour, 174.

Notes. The table at Whitehall for gentlemen of Inns of Court. A violent young lawyer, 161. What made Hampden's hurt mortal, 168. Clarendon's character of Hampden: Equal to anything, 170. Pym greatest in the House, 171. Hampden and Pym as to "discretion" of Mr. Hyde. "Snappishness" of Mr. Hampden, 172. Bishops in the Tower, 173, 174.

§ XVIII. BETRAYAL OF THE SECRET. PAGE
175—179

Text. A momentous interval. Lady Carlisle betrays all to Pym. Private Message from Lord Essex. House assembles: half-past one, 175. Report from Inns of Court. Lincoln's Inn. King's message to be in readiness this day: But as prompt in loyalty to Commons. Same from Gray's Inn, 176. From Inner Temple and from Middle Temple, 176, 177. The House satisfied. Armed Crowds gathering nearer. Re-entrance of the Five Members. The Secret disclosed to the House, 177. Should the accused retire or remain? A new Actor on the Scene. Lenthall announces King's approach, 178. Leave to Five Members to absent themselves. Away to the City by Water. Strode resists, and is dragged out, 179.

Notes. Famous Entry in Commons' Journals, 177. Chronicler Heath, 178.

§ XIX. THE KING'S APPROACH TO THE HOUSE PAGE
179—184

Text. The King's attendants, 179. As to their number and arms. Testimony of Sir Ralph Verney: of Rushworth: of Ludlow: of Thomas May, 180. Also of Mrs. Hutchinson, and D'Ewes. Clarendon contradicts all: Relating what was "visible to all," 181. Slingsby's account to Pennington, 6th Jan^r, 181, 182. Armed Guards at Whitehall. Terror and trouble of the Citizens, 182. Slingsby one of the King's companions. How "innocently" armed. Dismay at their approach. Shops shut up. The King passes through Westminster Hall, 183. Lobby of House of Commons suddenly filled. Armed men still press from without. Charles enters the House, where never King was but once, 184.

Notes. Reformadoes, 180. Slingsby describes Impeachment. Members sitting in House notwithstanding, 182.

§ XX. THE HOUSE ENTERED BY THE KING . . . 184—595

Text. Voice of Charles heard as he enters, 184. Armed followers visible outside. Door kept forcibly open. Captain Hide and Lord Roxborough, 185. Members rise and uncover. A crowd of bare faces. Charles turns to a well-known Seat. Misses Mr. Pym. Passes up to Speaker's Chair, close by D'Ewes's seat. Stands on step of Lenthall's chair, 186. Looks long before he speaks. Break in narrative of D'Ewes. One unmoved Spectator of the Scene. Young Mr. Rushworth. His Report and Description sent for by the King. Important Corrections made therein, 187. Copy so corrected in State Paper Office: A help to more vivid reproduction of the Scene. The King's Speech to the House, 188. Expects Traitors to be delivered up to him, 189. Are the Five Members in the House? No reply. Nothing will be well, until Accused are surrendered. Must have them. Painful hesitation and effort. Addition by D'Ewes, 190. Confirmation of Rushworth. Enquiries for Pym and Hollis. Reply. Looking for them himself. Speaker Lenthall's Speech. No eyes or tongue but as the House's Servant, 191. Extraordinary Speech for an Ordinary man. Another greater but like example. "Dreadful" Silence. The King conscious of his failure, 192. His birds flown. Protests he never intended force. Means to maintain the concessions he has made. Expects the Five will be sent to him. Declares their Treason foul, 193. Leaves the House: in anger, but not amid silence, 193, 194, 195. "Privilege! Privilege!" shouted after him. Passes out, through files of armed Adherents, 195.

Notes. Captain Hide: prominent in Westminster tumults: cashiered and re-appointed, 185. Rushworth's report of the Speech corrected by Charles, 188. Erasure by the King. Enquiry for Pym also erased by King, 189. Charles the First's Speech at his Trial, 192. Slingsby's narrative of outrage. Silence of House explained. Charles determined to have the Accused. House had sent to City for 4000 men. Shops all shut. Bere to Pennington, 6th Jan. (1641-2), 194. Uncertainty as to flight of Members, 195.

§ XXI. IMPRESSION PRODUCED BY THE OUTRAGE . . . 195—204

Text. Proceedings in House after King's departure. Speech of Hotham, 195. Cries for adjournment. House rises at 3.30 p. m. D'Ewes describes the King's design: to have raised a conflict in the House. Details of the plot, 196. Armed desperadoes not to be restrained. The King's person in danger. Strange deliverance. King's approach told to Fiennes, 197. Withdrawal of the members. Opposition of Strode, 198, 199. Will seal his innocency with his blood. Sir Walter Earle pulls him out by the cloak. The

Accused warned at dinner hour by Essex, 200. Unimpassioned character of D'Ewes's testimony. His sense of danger marked by execution of his Will: and setting his house in order, 201. Isolation of D'Ewes from mere party. His precision and sobriety. Question of the King's conduct. Could have had but one purpose, 202. Not the act but the failure unpardonable. Success narrowly missed. Under-Secretary Bere's dread as to ultimate result. Change must be for the worse. Rumours as to whereabouts of accused, 203. Worse storms on land than at sea. Circumstances well-known to Under-Secretary. His fears and forebodings, 204.

Notes. Abrupt entry in Journals of 4th Jan. (1641-2), 196. Identity of Strode with the earlier Strode disputed. Reply to objections made. Original impression strengthened, not weakened. Ages of the principal men of the Commons. Mistakes of Thomas May, 198. Contempt of Royalists for Strode. Varieties of Royalist slander, 199. Question of accommodation with the King. Parliament men in peril, 201. An Invitation for Christmas declined, 204.

§ XXII. LORD DIGBY AND MR. HYDE . . . 204—218

Text. Violent and reckless counsel. Carrying attempt to its issue. Digby's proposal: to seize the Five Members dead or alive, 205. Mischief let loose by King's act. Rumours against Bristol and Digby. Small comfort for the Admiral. Suffering on waters, fear on land, 206. Jacob and Esau. Two parties out of House: but the leaders honest, and only one party now in House. Sole Rebels in England, 207. Open and secret enemies. Cause for this digression. Hyde the King's private adviser: supplies secret papers and information, 208. Playing double and false. Betrays the Commons to the King, 209. Complaint of the King against Pym. Pym's rejoinder. Messages sent before voted. House warned against treachery. Letter to Pym, 210. Able members informed against. King's preparations. Parliament in danger. Charge aimed at Hyde, 211. Self-defence against treachery. Hyde accused of advising Arrest: Suggestion of his friends not to defend it, 212. Alleged speech upon Impeachment: Gross misrepresentation therein, 212, 213. Pretended occasion for Speech. Argument of Speech: no privilege for felony or treason: undisputed by Pym and Hampden, 213. Imputation against Leaders of the Commons. No proof existing that the Speech was spoken, 214. Hyde not in the House, nor at Guildhall, or Grocers' Hall, 214, 215. No evidence that Hyde took part in debates on arrest, 215. Reasons for absenting himself. His help more useful elsewhere. Appeal to force, 216. Impression to be made on the people, 218.

Notes. Private meetings in Hyde's lodgings. Suspicions against him. Hyde shut up with Charles, 209. Inconsistency in Hyde's MS, 215. Hallam's view of Impeachment, 216. William Lilly as to arrest of Members. Cost the King his Crown. All confidence at an end. A dinner party on day of Arrest. Belief as to outrage intended. King's obstinacy, 217.

§ XXIII. SIR SIMONDS D'EWES AND SPEAKER LENTHAL 218—251

Text. Further pause in Narrative required. MS. Diary of D'Ewes, 218. Illustrations to be drawn from it. D'Ewes a reliable Witness. Not a thorough going party man, 219. Differences with Leaders. Epithets applied to popular Chiefs. Why more tolerant of Pym: Pym more tolerant of him, 220. Discussion upon Answers to a Message. Objection of Royalists: D'Ewes supports it. Is assailed by violent spirits, 221. Persists in spite of them. Receives encouragement. Pym's "discretion and modesty." Adopts the amendment, 222. Mr. Strode less civil: speaks thrice and gets laughed at, 222, 223. Good humour of the House. Moderation of D'Ewes, 223. Proposed censure of Sir Ralph Hopton. Pope soliciting help against English Parliament, 224. Hopton's offence: His expulsion moved, 225. D'Ewes's speech in mitigation. Interrupted by the hot spirits. Appeals to order. His suggestion adopted by House, 226. Makes similar objection to Hopton's: with better success. D'Ewes's love for moderate speech. Another Case for Censure, 227. Sir Edward Dering's published Speeches. D'Ewes's indignation thereat. Would have Dering expelled. Denounces his vainglorious Preface, 228. Dering's attack upon the House. Mr. O. C. libelled. Mr. Speaker compliments D'Ewes, 229. Objection to suppression of a Book: will raise its value from fourteen pence to fourteen shillings. Dering expelled, and his Book burnt, 229, 230. Suggestion from Mr. Oliver Cromwell: Will D'Ewes answer Dering? 230. D'Ewes declines: has better things to do. Might not Mr. Cromwell do it? Other proofs of D'Ewes's accuracy. Originality of his Journal, 231. Hollis would alter a message voted. Message already printed. Who copies nightly from Clerk's Journals? Falkland and two others, 232. But not D'Ewes: he reports "out of his head," never at second hand, 232, 233. Clerk Elfyng's Apologies. A delicate matter discussed. Note-taking inseparable from Speech-making. Relations of D'Ewes to Lenthal, 233. His authority in precedents: Critic and Patron of Mr. Speaker. Weaknesses of Lenthal. Self-surrender of his only claim to respect. A Witness against Scot the Regicide, 234. A Time-server always. Traits and incidents from D'Ewes's diary. Question of Privilege, 235. Hafelrig and Lenthal.

Attack on Mr. Speaker. D'Ewes rebukes Hafelrig. Lenthal out of order, 236. Sugar duties' debate. Members entering just before Question put. Not to withdraw. Extraordinary proceeding of Mr. Speaker. Lenthal again at fault, 237. An Honourable Member interrupted. Honourable Member retorts. Mr. Speaker succumbs. D'Ewes's indignation. Lenthal's deficiencies as Speaker, 238. A Letter from the King. D'Ewes the great authority as to Order: Composer of discords in debate. Heat of ancient Burgesses for Coventry, 239. Pierce and unparliamentary looks. D'Ewes's opinion thereon. Ancient member again. Vote for allegiance to Parliamentary General: disliked by D'Ewes, 240. Burgesses for Coventry required to say *Aye*: says *No*. Assailed by Mr. Speaker. Wishes to say *Aye*: but not permitted. Other members frightened, 241. Sir Peter Wentworth cannot trust the King. Chancellor of Exchequer's horror. House overlooks this "folly," Old Sir Harry Vane. Startling Speeches. Sir John Northcote's avowal, 242. "Make the Prince our King." Old Vane declares for Militia and "new foundation," 243. Harry Killegrew's Speech. Novel Political Doctrine. House laughs. Young Vane very serious. Killegrew's apology. Pym resists his expulsion, 244. An indiscreet friend. D'Ewes goes in search of Records. Exposes Cornish ignorance. Is merciful in triumph, 245. Attempts to force early attendance. Alarming time when first found necessary. Tragi-comedy of the World, 246. House in sadness: Suddenly moved to laughter. The Shilling Fine. A failure. Shilling Fine again proposed. D'Ewes opposed to it, 247. Mr. Speaker late: rebuked: throws his shilling on table: will not take it up again, 248. Ill results of the Fine. Refusals to pay. Jack Hotham ordered to pay. Flings his shilling on ground, 249. Beginning of the End. Call of House attempted. Not forty members present, 250. A Stranger in the House. How dealt with. Resumption of Narrative. Why interrupted, 251.

Notes. D'Ewes's detection of forged signatures to a Royalist Petition, 219. Withdrawing for supper, 223. King accused of Popish designs. Too many grounds for such imputation. English Politics at Rome. Letter to Hyde from brother-in-law, 224. The Pope's Nephew: Says he has not fomented English troubles. His "interest" in Pym and Hampden, 225. Remarkable entry in Journal. Generosity of House to Strafford's son, 227. Contrast to Lenthal, 234. Northumberland true to old friends. An example profitable to Kings, 235. D'Ewes avoids Chair of Committee, 239. Misfortune to Royal Standard, 240. Occasion of Northcote's Speech. Anecdote of Killegrew. Will "find" a good cause, 243. A reprimand, 245.

§ XXIV. APPEAL TO THE CITY 251—258

Text. Mr. Rushworth sent for by the King, 251. Report of his Majesty's Speech demanded. Mr. Rushworth's humble excuses. King's sharp rejoinder. Speech transcribed from Notes, in King's presence. Sent to press, 252. Proclamation against Five Members. Ports closed against their escape. Their place of refuge. City of London. Merchants' home as well as place of business, 253. Its palaces and privileges. Sources of its power, 254. Its complete and organized democracy. Its incredible enrichment by trade. Clarendon's lament, 255. City disaffected to Court. Well affected to Commons. Services in the War. Excitement on night of the Arrest, 256. "Cavaliers coming." Apprehended seizure of arms, 257. King's Message to the Lord Mayor. Warrants against accused, 258.

Notes. Lord Mayor's letter to Aldermen. Military organization of City. Instructions for Watch and Ward. Personal service required from Aldermen, 254. Fortifications of the City Walls, 255. Attacks on City in Royalist Satires, 256. City shops all shut. Rough draft of Royal Warrant. Ordnance safely disposed. Houses to be searched for muskets. Possessors of fire-arms to be examined, 257.

§ XXV. THE KING'S RECEPTION IN GUILDHALL 258—263

Text. An important day for Charles I., 258. His last stake for good will of City. His confidence still unabated. Grounds for such false reliance. Present supporters and old traditions, 259. Reception on his way. Caution to be wary of Speech. Forced mildness. Captain Slingsby an eye and ear witness. "Privilege! Privilege!" "To your tents, O Israel!" 260. Arrival at Guildhall. King's Speech. Resolved to have the Five Members. Reliance on the City's good will. Will redress grievances and respect privileges: but must question Traitors, 261. Justifies Whitehall Guard. Offers to dine with liberal Sheriff. "Privileges of Parliament," and "God bless the King." Has any one anything to say? Yes: we vote you hear your Parliament, 262. No: that is not our vote. A bold fellow on a form. Rejoinder for him. "Trial—trial!" King dines with Sheriff. "Trial—trial!" 263.

Notes. King's Speech at Guildhall, 258. Assurances as to religion. Dinner at Sheriff's, 259.

§ XXVI. HUMILIATION AND REVENGE 264—271

Text. Incidents of the return to Whitehall. Wiseman to Pennington, 6th Jan. News of the Week, 264. Fears of Insurrection. Accused keeping out of way. Efforts to conciliate.

Gentleness of King's voice. Firmness of his purpose. Must bring Traitors to Trial, 265. Dinner at Sheriff Garrett's. Shouts against the King. Glad to get home. Why Commons left Westminster. Expectation of Bloodshed. Doubts which party strongest, 266. Retrospect. More P.C.s made. God preserve His Majesty! Message from Mrs. Wiseman. A worse trial for Charles. Visit from Common Council, 267. Their advice: Consult with your Parliament: Leave Tower alone: Disperse Whitehall Guard: Abandon Impeachment, 268. King's first act on return from City. New Proclamation against the Members! Rough Draft in King's hand. Kimbolton omitted. Instructions to Secretary Nicholas, 269. The guilty have escaped. Injunction to seize them. Warning against harbouring them. The City threatened. Solely the King's act, 270. Hopeless and reckless persistence. Repentance of Nicholas. Charles directs even Printing of Proclamation, 271.

Notes. Bore to Pennington: 6th Jan. Cries in City, 264. Anecdote told by Slingsby, 268. King's instructions to Printer, 271.

§ XXVII. REASSEMBLING OF THE COMMONS 271—281

Text. Wednesday 5th Jan. 1641-2. Yesterday's agitation not subdued, 271. Watches sent out: 260 Members present: 90 of the King's party. Member for Colchester leads Debate. Grimston's Speech. Its scope and value, 272. Exposition of the Power of Parliament. Why so awfully predominant? Because it punishes evil doers: comforts the oppressed: and strips the wicked of place, 273. Late outrage due to evil counsellors. Offences charged. Conduct in Parliament. Right to speak freely. Title not to have votes questioned: whether on Bills of Attainder or others: or in drawing up Remonstrances, 274. Conclusion. Members accused for conduct in House: Lodgings entered and papers seized: a breach of privilege. Motion upon Grimston's Speech. Opposed by Hopton. Excuses for the King. Committee to prepare Resolution, 275. They retire: nothing to be done till their return. They return in a quarter of an hour: with a Resolution written before we met, 276. D'Ewes not in confidence of Leaders; but his account trustworthy, 276, 277. Glyn's declaratory Resolution. Proposed Adjournment: Grand Committee to sit in the City. Warm Debate thereon. Sir Ralph Hopton, 277. Did not we give first provocation? And how gracious the King's Speech! Opposes Committee and Adjournment. "Grand" Committee altered to "Select." Adjourn till tomorrow at 9 o'clock, 278. Division upon going into City, 170 against 86. Selection of the Committee. All who come to have voices, 279. Its duties. Comprises several Royalists. Names on Committee. Hyde, St. John, and Cromwell absent

from it, 280. Motion by Lord Lisle. Irish Affairs. Sharp Debate led by Fiennes. Message to Lords. Abrupt rising of House, 281.

Notes. Division as to Duke of Richmond. One of D'Ewes's "young" men, 279.

§ XXVIII. A SUDDEN PANIC 281—289

Text. Armed men marching upon us. Sir John Clotworthy persists with Resolutions. Voted without being read. Disorderly Adjournment. Reasons for the fright, 282. Other Members to be accused and seized. City only had prevented it. Alarm of the King. Change of purpose. Results of 4th Jan. Darkest Rumours thought true, 283. Scottish "incident," 284. Irish rebellion: and army plot: King's share therein, 285, 286. Consequences of outrage worse than itself. Belief obtained for grossest Charges. Captain Carterett's fears. Mr. Wiseman's. Obedience poisoned, 287. Powers of the State in conflict. Specific causes of Alarm. Digby's plan for securing Members. King withholds Consent. Clarendon's own plan: To seize and throw them into separate Prisons, 288.

Notes. Offer of Montrose to kill Argyle and Hamilton. Mr. Napier's disproof quite untenable. Text of Clarendon. Edition of 1826. Disclosed Author's plan. History composed of two MSS. Secretary's transcript. Altered and corrupted by Author's Sons, 284. Restorations. Scaffolding of a book. Later and earlier Versions of same events. The Montrose charge, the later Version. Intended so to stand. Impossible not to print it: Reluctance of first Editors, 285. Additions in 1826 not to be confused with Restorations, 285, 286. Two kinds: weight respectively due to each. Montrose charge intended. The King its authority. Why first Version of it changed, 286.

§ XXIX. HOW HISTORY MAY BE WRITTEN 289—294

Text. Faithlessness of Clarendon. Unsafe guide. Comparison with D'Ewes, Verney, and Rushworth, 289. Statement by Clarendon. Alleged tone of Members' Friends, 290. Affected fears and griefs. Proposal to adjourn Parliament. King's wish to get Parliament away from London. Appointment of Committee. Royalists silent, 291. Three King's Advisers: too dejected to speak. Clarendon's Account summed up. Five specific Statements, all untrue. Confronted with D'Ewes, Verney, and Rushworth, 292. Never proposed to adjourn Parliament. Limit of stay in City specified. Merchant Tailors' Hall not named. Royalists not silent. Culpeper and Falkland on Committee, 293.

Notes. Verney's account of Sitting of 5th. Rushworth's Account. Adjournment to City, 290.

§ XXX. ADJOURNMENT AND SUSPENSE 294—300

Text. Master-stroke of meeting in the City. Necessity of suspending Westminster Sittings. Policy of appealing to Citizens. Alleged absence of danger, 294. Fears pretended: to get help from "darling" City. But what say private letters in State Paper Office? Serious alarm at Impeachment. Fate of Members in balance. Wiseman's view, 295. The Under Secretary's. Captain Carterett's, 7th Jan. Gives no opinion, but states the fact. Vote of House for the Accused. Serjeant Dandie gone to seize them, 296. Attacked by the People. Obstinate resolve of the King. Thomas Smith to Pennington, 7th Jan. Protection of Accused against King, 297. King will use force. City resolved to resist. "God help us!" Slingsby to Pennington, 6th Jan. M.P.s discouraging of adjournment to City. Many refuse to go, 298. Fear to be thought "Accessories." Threats if Accused not given up. Royalists begin to favour Irish. Pym's heaviest charge proved true, 299. Sympathy with Irish Rebellion, 300.

Notes. Holborne's Argument, 299.

§ XXXI. COMMONS' COMMITTEE AT GUILDHALL 300—316

Text. Thursday morning, 6th Jan. No existing report of proceedings. Slight notices in Rushworth and Verney, 300. Confusions of Clarendon. A regular record by D'Ewes. Where the Committee sat. Welcome of the Citizens. Military Guard in attendance, 301. City Hospitalities. "Great cheer." First matter debated. Searching Lodgings and sealing up Papers. Issuing illegal warrants, 302. Attorney-General's Proceedings first questioned. Motion to send for Warrants. Resisted by D'Ewes. Speech by him, 303. Explains privileges against arrest. Final, and temporary. Why such distinction. When the House to judge as to fact and penalty, 304. When as to fact only. Otherwise House might be thinned at pleasure. Yet Members guilty to be surrendered. Examples given. "Well moved," 305. Fair and just temper of Committee. No desire to be irresponsible, 306. D'Ewes resumes. As to cases where Lords join. Privileges claimed by both Houses. Impeachment by Lower House: compels surrender of the person. Malice not presumable, 307. Conclusion by D'Ewes. Loud acclamation. Glyn's Speech: aimed at such counsels as Hyde's. Private Informers of the King, 308. Spies in the House. Manifest breach of privilege. Glyn has taken leadership. Chiefs under him, 309. D'Ewes's Argument on Privilege. A firm position. More than one question at issue. Clarendon's evasion, 310. Not one, but many breaches of law. King powerless to arrest, 311. Each step an outrage. Subject may do what King cannot.

Shame of Attorney-General. Makes apology through a Friend, 312. Apology not believed. Mr. Strode's remark thereon. Debate as to warrants continued. Sound principles stated. No difference of opinion, 313. Dispute of D'Ewes with Wilde. Wrong issue suggested. Corrected by D'Ewes. Lords to issue Warrants. How to make a right thing wrong, 314. D'Ewes's victory over Wilde. Good sense of Committee. Resolutions voted. Against Warrants: against persons arresting under them. Young Vane rises, 315. Offers wife suggestion. Guard against claiming privilege for Crime. Subcommittee to draw proviso. Vane's clause voted and printed. Adjourn to Grocers' Hall, 316.

Notes. Why applaud D'Ewes and object to Hyde? 305, 306. Answer suggested. Doggrel "Five Members' March," 306. Just opinions as to Arrest. Smith to Pennington, 5th Jan. King not to accuse Subjects, 311. Discontent with the King, 312.

§ XXXII. FACTS AND FICTIONS 316—320

Text. Clarendon Fictions. Alleged restriction of Votes. Concurrent sittings of House. Hyde's asserted speech. Pretended references to House itself, 317. House confirming votes of Committee. All done during Five Members' Absence. Reply. Votes not so restricted. House itself not sitting. Hyde not Speaking, 318. No Short Sittings. Journals support D'Ewes. Evidence of published Declaration. As to Warrants: King powerless to issue them, 319. As to Arrest: King disabled from effecting it, 319, 320. As to claim of privilege: Not desired to bar a just charge. Readiness to bring guilty to Trial.

§ XXXIII. AGITATION IN THE CITY 320—326

Text. Thursday night, 6th Jan^r, 320. Change in the People. Disposed to any undertaking, 321. Sudden alarm at Ludgate. Threatened attack on Coleman Street. The Digby Plot. Lunford in it, 322. City in Arms. 140,000 men with weapons. Panic continues. Women in terror. Exertions of Lord Mayor, 323. Streets cleared. City again quiet. Thanks of Council to Lord Mayor, 324. Ill-timed defiance. Troop raised by Royalist Squire, 325. Tendency to undue fears, 326.

Notes. Evidence of Clarendon. Tribunes exalted. Court reduced. All slanders believed, 321. Speech of Stapleton. Lunford's bragging, 322. Order from Council, Saturday 8th Jan. Members for City odious to Court. Swearing in of Falkland. Tumult of Thursday noticed. Its authors must be punished, 324. Certain persons (M.P.s) over earnest. Find out authors of Alarm. Give up their Names, 325.

§ XXXIV. FIRST SITTING AT GROCERS' HALL . . . 326—333

Text. Friday 7th Jan. Witnesses as to Outrage of 4th. Abstract of their Evidence, 326. Concerted plan. Signal to be given. Disappointment. Necessity of forcing Commons to obey King. Signal only wanted. Forcibly keeping open door of House, 327. Counting numbers. Ingenuous Confession. An important Witness: At Whitehall the previous Friday. What Lieut. Jenkin said. Again at Whitehall on the 4th. Previous intelligence of King's design, 328. Passes over roof to escape Crowds. Knew of coming trouble three weeks ago. Impression made on D'Ewes. Satisfied as to purpose aimed at: to find excuse for armed conflict with House. Moves and carries vote to that effect, 329. Sheriffs of London in attendance. Asked as to Warrants. One replies, the other refuses. Difference between Wilde and D'Ewes. Don't shout "Aye" or "No," but reflect and consider, 330. Against calling in Warrants. Discreet tone as to the King. Respect still due. Touch of humour. An ill choice, 331. Call in Sheriffs and dismiss them. Suggestion adopted. Motion that Five Members attend Committee: disliked by D'Ewes; carried. King meets the challenge, 332. Fresh Proclamation against accused. Unwise course, 333.

§ XXXV. SECOND SITTING AT GROCERS' HALL. . . 333—338

Text. Saturday 8th Jan. Reply of House to King's Proclamation, 333. Open defiance of the Sovereign. Alarming News. Step taken thereon. Guard ordered for the Tower, 334. Selection of Commanding Officer: Major-General Skippon: character and services, 335. Named chief of City Militia. How Authority comes into being: attends upon Necessity. Order for *posse comitatus*. No such Guard needed, 336. Committee ignorant of their power. Triumph preparing. Members to be borne back by the People. Proposal of King to attend Committee. Its reception, 337. Due respect to be paid. Way to be made for King and Nobles, 338.

Notes. Importance of the Tower. Security to Merchants. Pym's Great Speech to the Lords, 334. Effect of political troubles on trade. Defence of the Commons, 335. Skippon and his Soldiers. Liking for Short Speeches, 336.

§ XXXVI. SUNDAY THE NINTH OF JANUARY . . . 338—339

Text. Visitors in City Streets and Chapels. Strangers meeting as Friends. Petitioners for Pym, 338. Petitioners for Hampden. Savoury Discourses. 122nd Psalm. Text preached from, 339.

§ XXXVII. PREPARATIONS FOR THE TRIUMPH . . . 340—356

Text. Monday 10th Jan. Last Sitting in Grocers' Hall. Crowds assembled. Speeches of Glyn and Alderman Pennington. Suspected tamperings at the Tower, 340. Evidence of danger. "Cavaliers." Sub-committee appointed, and Byron summoned. Motion against Killegrew and Fleming, 341. Moderation of Committee. Violent Language disliked. Resolutions modified and passed: Against agents on 3rd and 4th, 342. Against evil Counsellors: against Proclamations issued; against warrants under King's hand, 343. Speech by Maynard: his fellowship with Glyn. Remembered at the Restoration, 344. His present view of Parliaments: their privileges: the attempted arrest: and the unlawful seizures, 345. All public business in peril. "Well Moved." Lords and Bishops uncontrolled. Men of Spirit disabled, 346. Agitation outside. Petition of Sailors. Services of Mariners accepted. To meet at 3 next morning: at the Hermitage, 347. The "Water rats." The Five Members approach. Enter and take seats. Greeting. Offers from the Common People, 348. Thanked by Committee. Offers from Southwark Trained Bands. Accepted and told to be in Arms, 349. Protection of Sub-Committee. Arrangements for Tuesday's Guard. Irrevocable Step. Raising troops without Commission, 350. Resolutions voted. 1st and 2nd 3rd 4th 5th, 351. 6th to 12th, 352. Hampden Speaks. Will you receive my Constituents? 4000 from Bucks. Better go back? 353. No, we will hear them. War beginning. Hampden's attitude and bearing. Last acts of Committee, 354. Captain Hide disabled. Refusal to receive Sir John Byron's Messenger, 355. 3 p.m. 10th Jan. Committee closed, 356.

Notes. Verney's Notes, 343. Mr. Pepys's Political Rogues. Popular View of them, 344. D'Ewes more correct than Rushworth, 347. Harleian MSS, 349. Verney's Mistakes. The Protestation, 351. What number from Bucks: Hyde, Dering, Rushworth, and D'Ewes, 353. Whitelock on same subject, 354. Hampden's share in Bucks Petition. False Charge. Captain Hide. New Lieutenant of the Tower, 355. Confessed usurpations. Why necessary, 356.

§ XXXVIII. FLIGHT OF THE KING . . . 356—369

Text. 3 p.m. 10th Jan., proposed Flight of King. Acts of Committee told to Charles, 356. His trouble and dismay. Takes sudden resolve. Crowds for Hampden. For Pym, 357. Alarming defections, 358. "Water rats." Trained Bands. Triumph for "Traitors." Sudden sense of Danger. Sir Edward Dering to his Wife. Commons going high. King's "terror." Pity for the King, 359. Noted vices less dangerous than secret. Reason for quitting London. Hope of

support elsewhere. Project of the Queen. Vigilance of Commons, 360. Secret Service of Pennington. Conveys Queen to Holland. Under-Secretary Bere to the Admiral, 13th Jan. Reports King's flight. Essex and Holland, 361. Secretary Nicholas, 362. Small Work left for Under-Secretary. Grief of a Secretary of State's Wife. Lord Keeper offers to resign, 363. Royal Reveries, 364. Gloomy picture, 365. Slingsby to Pennington. Unexpected change of position. Officers following the King. Lunford at Kingston, 366. "Drunken flourish." Suspicious Associations. Digby and Lunford, 367. Rejected Plan against Five Members. Queen's reproach to King for its rejection. Charles I. quits London: never to return as King, 368. The Five placed on their "thrones," 369.

Notes. Popular Petition. Pym's support of Law. Author of the Long Parliament, 357. Attacks on Pym. "Not a Gentleman or Scholar." "Rogue and Rascal." "Penitent Traitor," 358. Refusals to accompany the King. Waiting on Committee. Final Defections. Libel on Essex, Holland, Warwick, and Pym, 362. D'Ewes and Lord Holland. King's flight not temporary. Union in Houses, 363. Literary Entertainment. Letters not safe. Desolate Court at Windsor. Endymion Porter to his Wife: 14th Jan. Very old story, 364. Troubles of a Courtier. Fear of "Rabble." King and Queen lying with their Children. Desperate times. King's poverty. Slingsby and Pepys, 365. Captain Carterett, 366. Agreement in Houses. One exception. Faction subsiding, 367. Guizot's *Révolution d'Angleterre*, and English Translation of same, 368, 369.

§ XXXIX. RETURN OF THE FIVE MEMBERS . . . 369—376

Text. Tuesday 11th Jan. March of City by Land. Guard by Water. Great Festival. No mere Holiday, 369. Soldiers' pikes and muskets: carrying printed Votes of Houses. Embarkation at "Three Cranes." Under-Secretary's Account, 370. Welcome at Westminster. Entrance into House. Pym thanks the City. Striking expressions used, 371. Impression made on Royalist Member. Would you be King Charles or King Pym? Letter of Sir Edward Dering. Guard against no Enemy. Members thought still in danger, 372. Why Bucks Men came. Thanks by Mr. Speaker. Speech by Goodwin, 373. Bucks Petition brought in. Its Guard of 6000. Crowd and pressure in Lobby. D'Ewes in Westminster Hall. "Little square banners," 374. Departure of King noted. Question by Culpeper. Question by Sir Henry Chomley. Answered by Denzil Hollis. Close of Narrative, 375. Questions not settled in one Generation. Struggle of Commons against Crown: why successful, 376.

Notes. What Clarendon saw, 370. Bere to Pennington, 13th Jan., 371. Bucks Petition to the House. Views held by Hampden. Petition to King, 373. Other Counties petition the King, 374.

§ XL. CONCLUSION 376—387

Text. Arrest of Members a deliberate Act. How baffled. Only to be met one way, 376. The Civil War begun by it. Its connection with Remonstrance. Design of Remonstrance. Object of Arrest: to make the Minority masters of the House. Improbable case, 377. Peculiar Opinions of King. Nullity of Statutes in bar of Prerogative. All recent Acts in peril. Assent under compulsion void. Dangerous Logic, 378. Position of Accuser to Accused. Refusal to prosecute or withdraw charge. "Vindication" of Pym. Why he changed his conduct after Arrest, 379. Parliament his only Refuge. Traitor or Minister? King will do anything but withdraw charge. Will waive Impeachment: hopes Mr. Hampden is innocent: Will indict at Common Law, 380. Will abandon all proceedings: will give general Pardon: But nothing else. Attorney-General impeached and punished. King still immovable. One of the Oxford propositions, 381. The Earl and the King. Strong ground for discontent: stated by Whitelock, 382. Clarendon's defence of Charles. The truth misstated: as a ground for assailing Commons. Doubtful assertion of Whitelock, 383. Probable effect of withdrawing charge. Effect of King's obstinate refusal. Persistence in the outrage. Interval for good Advice. Good Advisers provided, 384. Result upon the King. Events between 4th and 9th Jan. 4th p.m. Proclamation against Members. 5th a.m. King's Warrants and Visits to Guildhall. 5th p.m. Second Proclamation, 385. 6th a.m. Serjeant sent to arrest. 7th a.m. Common Council Petition. 8th a.m. New Ministers at Council Board. Same day: Third Proclamation against Members; and private order from Council Board, 386. No middle course possible. Acceptance of issue raised. Civil War, 387.

Notes. Paper War. Blunt better than keen nib. Burleigh and Cecil. Too clever Clerk of Council, 382.

ARREST OF THE FIVE MEMBERS BY CHARLES THE FIRST.

A CHAPTER OF ENGLISH HISTORY REWRITTEN.

§ I. INTRODUCTORY.

ONE of the most fatal days in the life of An attempt fatal Charles the First is generally, and justly, to its accounted to have been that wherein he made author: the attempt to seize with his own hand upon five members of the House of Commons sitting in their places in Parliament, against whom, on the day preceding, he had exhibited in the Upper House, through his Attorney-General, articles of impeachment for high treason. This incident, however, with its attendant circumstances, having become, in common with the events immediately preceding it, the subject of Lord Clarendon's most elaborate, ingenious, and studied misrepresentation, the true history Party misrepresentation of it remains to be elicited from trustworthy, representations of and as yet unpublished, contemporary records. it:

Not an
isolated
act.

Dramatic
correctness
of the
Eikon
Basilike.

It was certainly not the isolated act of rash imprudence and self-willed indiscretion which the champion of the party whom its failure most damaged very naturally desired that it should afterwards be considered. It was attended by too many incidents bespeaking a deliberate and settled purpose, and came in the sequence of events with which it too exactly corresponded, to permit us fairly so to consider it. The author of it, consistently enough, always himself resented that imputation; and it is with a strict dramatic propriety he is made, by the writer of the *Eikon Basilike*, to ascribe the act not to passion but to reason, to claim for it just motives and pregnant grounds, and to rescue it from the reproach of being wanting in the discreteness that the touchiness of the times required. It was most assuredly in only too perfect agreement with all that the King and the King's friends had been attempting since the day of Strafford's execution. The earlier period, with its close succession of agitating conflicts, has been retraced in an Essay describing the Debates on the Grand Remonstrance; * but some few gleanings in the field remain yet to be gathered, and will find here their proper place.

Authorities for this Narrative. The authorities to be employed in the present narrative, all of them existing still in

* Forster's *Historical and Biographical Essays*, i. 1—175.

manuscript, have not before been used in any of the histories; and it may be premised, as to several important illustrations of the time and many new facts of much weight, derived from contemporary correspondence in the State Paper Office,* that among the letters to be earliest quoted are several addressed to Admiral Sir John Pennington, then commanding the fleet in the Downs, by correspondents evidently able and generally trustworthy, notwithstanding strong Royalist leanings. Pennington† was a favorite of the King's, and within a very few weeks was to do him two memorable pieces of service, by carrying across channel out of the reach of Parliament not only Lord Digby, but the Queen and the English crown jewels,

MS. Illustrations.

Admiral Pennington.

* Let me take the opportunity of saying, upon the threshold of this work, that it could not have been written without the facilities of access to the State Paper Office afforded by the kindness of Sir John Romilly, to whom I offer my warmest acknowledgments. Of the larger debt which all students of our history owe to the present Master of the Rolls, it would hardly be becoming to speak in this place; but it is due entirely to him that the noble stores of our State collections are now becoming accessible to all readers, and that in the double series of "*Calendars*," and of "*Chronicles and Memorials*," published by the Messrs. Longman under his direction, we have the promise of an ultimate contribution to our National History which Englishmen will be able to refer to with just pride, as unsurpassed for its variety and richness of materiel, and for the thoughtful consideration which, by the moderate price the volumes are issued at, has placed them within general reach.

Services to English History rendered by Sir John Romilly.

† Clarendon's *Hist.* ii. 277, 334-6, and iii. 98, 107. The historian says of Pennington that he was a very honest gentleman, and of unshaken truthfulness and integrity to the King; adding that he had a greater interest in the common seamen than any other person, having commanded them so many years.

Penning-
ton ap-
pointed to
succeed
Lord Nor-
thumber-
land.

Captain
Slingsby,
brother of
Strafford's
secretary:

relates
the Parlia-
mentary
news,
25th Nov.
1641.

to be employed abroad in raising materiel and means for the waging of civil war at home. A few months later, upon dismissal of Lord Northumberland, the King had secretly made Pennington Lord Admiral, but the appointment was superseded by Parliament. His present position in command of the home fleet rendered it extremely essential that he should be kept well-informed of events; and one of his captains, Robert Slingsby, brother of Strafford's friend and secretary, seems to have come to London mainly with this design.

Writing on the day of his own and of the King's arrival there (the 25th of November), "from my lodging at a barber's house over against the Rose Tavern, in Russell Street in Covent Garden," Slingsby thus tells the Admiral the great parliamentary news: * "The business now in agitation is a Remonstrance to be published, wherein the state of this kingdom, before the Parliament, is set down, and the Reformation since: all matters of state and government, since the King's coming to the crowne, being ript up: as some say, very much reflecting upon the King. On Monday last it was very hotly debated (in) the House, with greatest opposition: some making protestations against

* MS. State Paper Office. Slingsby to Pennington, 25th Nov. 1641. I follow the ordinary mode of spelling the name, though the writer always subscribes himself "Slyngsbie."

"it: it held almost all the night. At last being voted, it was carried for the Remonstrance, by eleven voices: yett they have since fallen upon itt againe, and have mitigated some thinges which occasioned greatest opposition to it; yett doth it not passe freely them who befor opposed it."

It was hardly surprising that it should not, considering how much was at stake. Every inch of ground was contested. Also writing on the same 25th of November, Mr. Sidney Bere, who (having charge of the foreign dispatches) had been in attendance on the King in Scotland, and who obtained employment as Under Secretary upon the appointment of Nicholas (on Monday the 29th November) as principal Secretary of State, makes similar allusion to the grand intelligence of the day, and in a tone which shows his nearer acquaintance not alone with public affairs, but with those to whom their guidance was entrusted: "For the business of the Houses of Parl^t. they have been in greater debates about a Remonstrance, w^{ch} the House of Commons framed, showing the grievances and abuses of many yeares past: the contestation now is how to publish it, whether in print to the publick view, or by petition to his Majesty. It was foe equally carried in a division of opinions, that there were but 11 voices different: this day is a great day about it, but what y^e

A night-
long
debate.

Sidney
Bere,
Under
Secretary
of State:

describes
opposition
to print-
ing the
Remon-
strance.

Fears of
the wife.

“ event will be I shall not be able to write you
“ by this ordinary. It seems there are great
“ divisions between the two Houses, and even
“ in the Commons House, w^{ch} if not suddenly
“ reconciled may cause very great distractions
“ amongst us. It's the fear of many wife and
“ well-wishing men, who apprehend great
“ distempers, w^{ch} I pray God to divert.”*

Narrow
majorities
in House
of Com-
mons.

So desperate was the struggle between forces
not so unequally matched as historians have
supposed; and the result thus far was, that the
party which attempted a reaction in favor of
the King had been defeated by this narrow
majority. But other considerations still hung
in the balance. It remained to be seen, on
the one hand to what uses the victory would
be turned, on the other what yet might be
done to mitigate the consequences of defeat.
While the struggle was at its height, Charles
was on his way back from Scotland; having sent
before him the most urgent injunctions that
until his arrival at least the conflict was to be
prolonged. Three days before he appeared at
Whitehall the Remonstrance had been voted
by its majority of eleven. Still there were
questions to be raised in connection with it,
and still, as we have seen, the contest was con-
tinued. Charles was hardly less eager that the
terrible record of his past misgovernment

Conflict
continued.

* MS. State Paper Office. Sidney Bere to Admiral
Pennington, 25th Nov. 1641.

should not be presented to him, than he had
been that it should not be passed; and, after
it was presented, it became the great object of
himself and his friends to obstruct its publica-
tion.

On the 16th of December, Captain Slingsby ^{First great}
writes to Admiral Pennington: “ Yesterday <sup>parlia-
mentary</sup>
“ the House of Commons fell upon the Remon- ^{divisions.}
“ strance w^{ch} they had formerly presented to
“ the King with a petition; but had received
“ no answer. It was hottly debated, whether
“ it should be printed or not: it helde them
“ very late in the night: at last being voted,
“ it was carried by many voices to be printed:
“ yett so as those were about a hundred w^{ch} did
“ protest against it, wth a caution if it were ^{Protesting}
“ not contrary to the orders of the House, ^{with a}
“ and desired their names might be printed wth ^{difference.}
“ the Remonstrance: that caution was to
“ avoid the penaltie of Mr. Palmer, who was
“ before committed for protesting against it.
“ It was after debated, whether to protest
“ against anything that is voted in the House,
“ be not contrary to the orders of the House:
“ and it is thought by some that some of the
“ protesters will be questioned for it.”*

A fortnight before this date, another friend, Mr. Tho-
mas Wiseman, a man of considerable ^{man to}
wealth and influence, had written in similar ^{Admiral}

* MS. State Paper Office. Slingsby to Pennington, 16th
Dec. 1641.

Penning-
ton, 2nd
Dec. 1641.

Palmer's
protest
and pun-
ishment.

Absentees
from the
Houses.

strain to the Admiral of Palmer's imprison-
ment. He described, in a few lines which
expres exactly the nature and weight of the
offence Palmer had given, and which Clarendon
has laboured so ingeniously to conceal, the
act that brought with it the "penalty" referred
to by Slingsby.* "Mr. Palmer, the lawyer,
" was sent three days agoe to the Tower, because
" hee was the first man that desired to have
" his Protestation entered Against the Remon-
" strance in the name of All The Rest." In the
same letter Mr. Wiseman, adverting to matters
connected with the Remonstrance and making
a curious mistake, as to the day of the great
debate (which was Monday the 22nd, not
Thursday the 18th of November), gives us a
glimpse of the temperate hopes too sanguinely
expressed by the Admiral himself: " This
" Parliament, as you observe, I hope may
" prove more temperate; if soe bee all the
" memb^{rs} of the Houses were sure mett
" together: but I presume they have already
" don their worst; the Remonstrance being
" finished uppon Friday was fennight, when
" the House of Commons did sit debating of
" the matt^r therein contayned from three of
" the clock in the afternoone on Thursday till
" Friday morning at three of the clock; and
" beeing putt to the questione whether the
" Remonstrance should procede or not, there

* See *Hist. and Biog. Essays*, i. 117-132.

" was 159 persons for itt and 148 against it. The ma-
" And this very day it brought the King to <sup>the ma-
jority of
eleven.</sup>
" towne, it being presented unto him wth a
" petition thereunto annexed yeafterday at
" Hampton Courte: what the sequel will bee
" of it, a little tyme and patience will inform
" us. But there was never more heate in both
" the Houses then att present: God send them <sup>Never
more heat
in Parlia-
ment than
now, 2nd
Dec. 1641.</sup>
" better at unitie whereby we may enjoy fairer
" hopes of peace and tranquillitie, and the
" King to shyne out wth as much brightnes
" and splendor as heretofore he hath done."*

A hope, alas, with small chance of realiza-
tion after the vote of the 15th of December
by which the Remonstrance was placed in the
hands of the people. But, discomfited in this
direction also, a final stand was neverthe-
less to be made, and a final defeat to be
encountered, upon the monstrous assumption
of a right in the Minority to enter formal <sup>Minority
set up
against
Majority.</sup>
protest against the series of votes it had itself
been suceessively out-voted in resisting. That
was on the 20th December: and within a fort-
night after its date, as the successful leaders
sat in their places in the House (the interval
having witnessed a despairing effort, hitherto
unknown and unsuspected, to win over Pym
to the Court by a large and lucrative employ-
ment), the attempt was made to seize them.

* MS State Paper Office. Wiseman to Pennington,
2nd Dec. 1641.

Close of
the first
struggle of
Parlia-
mentary
Party in
England.

Such were the stages of a conflict, throughout very steadily maintained, of which the object on one side was to uphold, and on the other to overthrow, the legitimate action of the House of Commons. Was it possible that the long and hard fought battle should have had a more consistent close? It began in a secret project to overawe the Majority by bringing up the army to Westminster. It was continued through a succession of organized efforts to defraud the Majority of its lawful powers by the pretence of unlawful constraints. And it was to be ended, surely with no inappropriateness, after a secret and successful effort to bribe with place the most distinguished of the leaders of the Majority, by an attempt openly to strike them down. To what extent in this the King acted alone, or with the advice and countenance by which he had profited in every other stage of the struggle, it will be one of the objects of this Essay to endeavour to develope.

§ II. THE KING'S RETURN FROM SCOTLAND.

Assertions
of Clarendon.

It is repeatedly asserted by Lord Clarendon that Lord Digby was Charles the First's only adviser in his resolve himself to effect the arrest of the five members; but in implying that the rash act had the disapproval of the more legitimate advisers of the Sovereign, he nowhere asserts that the articles of im-

peachment, of which it was but the too hasty and violent assertion, were in their opinion unjust. It would be hazardous to affirm of the King's attempt of the 4th of January, that it was a more flagrant violation of law and privilege than his attempt by means of his Attorney-General on the previous day; yet, remembering that Falkland became a Privy Councillor only two days before, and five days later received the seals of a Secretary of State, that Culpeper sat as Chancellor of the Exchequer on the day Falkland was sworn of the Privy Council, and that Hyde had been offered concurrently the office of Solicitor General,—keeping in mind, moreover, that the person chiefly instrumental in bringing about all these promotions is admitted by Clarendon to have been Lord Digby himself,*—it would be still more difficult to believe that the act of the Attorney-General, and the pro-

The two
attempts
of the 3rd
and 4th
January.

New State
appoint-
ments:

advised
by Lord
Digby.

* Clarendon expressly informs us (*Hist.* ii. 99, 100), "The Lord Digby was much trusted by the King, and he was of great familiarity and friendship with the other three, (Hyde, Culpeper, and Falkland), at least with two of them: for he was not a man of that exactness as to be in the entire confidence of the Lord Falkland, who looked upon his infirmities with more severity than the other two did . . . He was equal to a very good part in the greatest affair, but the unfittest man alive to conduct it, having an ambition and vanity superior to all his other parts, and a by's confidence in himself, which sometimes intoxicated, and friend-transported, and exposed him . . . He had been instrumental in promoting the three persons above mentioned to the King's favour; and had himself, in truth, so great an esteem of them, that he did very frequently, upon conference together, depart from his own inclinations and opinions, and concurred in theirs."

A question for enquiry. ceeding with which the King followed it up, with whatever feelings regarded after the event by these men, could have been taken in the first instance absolutely without their knowledge, or even their suspicion. There is ground for believing otherwise; and even if nothing more than a case of strong presumption be proved, it ought in the particular circumstances to tell heavily against them. That they were more than suspected at the time, Clarendon admits; and he adds that though such men as Hampden and Pym had a better opinion of his discretion than to believe he had himself any share in the advice of those proceedings, yet they were very willing that others should believe it.* Perhaps the real difficulty was, as the facts may tend to show, not to believe it.

Suspensions against Falkland, Culpeper and Hyde.

Charges against Pym and Hampden.

The King's way of dealing with opponents.

The King had returned from Scotland, there cannot be a question, bent upon charging Pym and Hampden with treasonable correspondence during the Scotch Rebellion. Unfortunately for Charles the First, it was almost always matter of doubt with him whether he should crush or cajole an antagonist; and such was his vice of temperament that whichever resolve he might finally take, was sure to be taken too late. He tried the one too late to destroy the league for the Covenant in Scotland, he tried the other too late to save

* *Life*, i. 103.

the life of Strafford in England.* And now, even while bent upon fastening a charge of treason against the popular leaders, based upon the same transactions as those which suggested a similar charge at the eve of the Long Parliament, I shall be able to show that even now there again occurred to him, and again too late, that it might be possible to win by stratagem † what he could not but secretly distrust his power to win by force. Of course with the usual result. When a weak irresolution

* Hear what is said by Clarendon: "If that stratagem (though none of the best) of winning men by places had been practised as soon as the resolution was taken at York men by to call a parliament (in which, it was apparent, dangerous attempts would be made, and that the court could not be able to resist those attempts), and if Mr. Pym, Mr. Hampden, and Mr. Hollis, had been then preferred with Mr. Saint-John, before they were desperately embarked in their desperate designs, and had innocence enough about them to trust the King, and be trusted by him, having yet contracted no personal animosities against him; it is very possible that they might either have been made instruments to have done good service, or at least been restrained from endeavouring to subvert the royal building, for supporting whereof they were placed as principal pillars." *Hist.* ii. 60. In another passage of his history (iv. 438-9), he tells us: "The King at one time intended to make Mr. Pym Chancellor of the Exchequer, for which he received his Majesty's promise, and made a return of a suitable profession of his service and devotion: and thereupon, the other being no secret, somewhat declined from that sharpness in the House which was more popular than any man's." But again elsewhere he admits, still speaking of the proposal to give office to Pym and Hampden: "It is great pity that it was not fully executed, that the King might have had some able men to have advised or assisted him." i. 371.

† That, as has just been seen, is Clarendon's expression applied to the King's mode of procedure (ii. 60)—"the stratagem of winning men by places." He had himself sufficient experience of it.

Crushing, or conciliating, always too late.

Their non-acceptance regretted by Hyde.

prevents a man from doing at the right time what is right, obstinacy (which is but another form of the same weakness and equally inaccessible to reason) will always confirm and make him obdurate in whatever he may have ultimately done wrong.

Treason-
able corre-
spondence
of English
members
with
Scotch
rebels.

Clarendon's
opinion
of the five
accused.

Ominous threatenings of that purpose of the King to revive the charge of treasonable correspondence with the Scotch against Hampden and Pym, had preceded his return from Scotland; and that it was known to those admitted to his confidence, no well-informed student of this period of history will be disposed to doubt. When Clarendon, therefore, speaking for himself and his friends as having with the greatest courage and alacrity opposed what he terms, "all the seditious practices" of the leaders of the Commons, proceeds to admit that they were far from thinking that the five members were much wronged* by the accusation of treason; nay, that so visible in the House had been their extreme dishonest arts,† that nothing could have been laid to their charge incredible, only they thought it an unseasonable time to call them to account for it; and that, in regard to the choice of persons, it was indiscreet to have included Lord Kimbolton with the members of the Lower House,

* *Hist.* ii. 160.

† This word is incorrectly printed "acts" by Clarendon's editors.

—it would seem tolerably certain that he carries his affectation of ignorance somewhat too far.* Kimbolton was included notoriously because of his conduct in the previous year as one of the Commissioners "to arrange all causes of dispute with Scotland," and because of the impossibility of stating the alleged case against Hampden or Pym without involving Kimbolton also.

Kimbolton a Scotch Commissioner:

There are several passages in Charles's secret correspondence with Secretary Nicholas, during his absence in Scotland, which show with what eager curiosity the doings of Kimbolton were watched at the time. Lady Carlisle, who, though still continuing her intercourse with the Court, appears undoubtedly after Strafford's death, for reasons hereafter to be noticed, to have given what help she could to the popular

narrowly watched by the Court.

Lady Carlisle's intercourse with both parties.

* "The purpose," says Clarendon (*Hist.* ii. 128, 129), "of accusing the members was only consulted between the King and Lord Digby; yet it was generally believed that the King's purpose of going to the House was communicated with William Murray of the Bedchamber, with whom the Lord Digby had great friendship; and that it was betrayed by him . . . He [Lord Digby] was the only person who gave the counsel, named the persons, and particularly named the Lord Mandeville, against whom less could be said than against many others, and who was more generally beloved," &c. &c. And again he says, (pp. 160, 161), when remarking that a fitter choice should have been made of the persons for arrest—"There being many of the House of more mischievous inclinations, and designs against the King's person and the government, and more exposed to the public prejudice, than the Lord Mandeville Kimbolton was; who was a civil and well-natured man, and had rather kept ill company than drank deep of that infection and poison that had wrought upon many others."

Secret consultations.

Kimbolton's ill company.

leaders, is represented in one of Nicholas's letters (27 September, 1641), as having taken to the Queen a paper which it was much to the King's service to make public, and which she had obtained from Lord Mandeville.* (Lord Mandeville, or Kimbolton, I need hardly acquaint the reader, was the eldest son of the Earl of Manchester, and had been called to the Upper House in his father's barony of Montagu of Kimbolton.) The contents of that paper were such, however, that it became matter of doubt whether that which had appeared upon the surface of it so desirable to be known in the King's interest, was not in reality a matter much more essential to be known in the interest of the King's opponents, and the conduct of Lady Carlisle soon confirmed the latter supposition. Nicholas himself makes no concealment of his doubts of Kimbolton. He is careful to tell the King, "I hear there are divers meetings at Chelsea, at the Lord Mandeville's house, and elsewhere" (Pym also had lodgings in Chelsea at this time) "by Pym and others, to consult what is best to be done at their next meeting in Parliament."† Nor perhaps is it necessary to add that the alleged notorious complicity of Hampden with the so-called Scottish treason was the subject of countless contem-

A dangerous mediator.

Doubtful services.

Meetings in Pym's lodgings at Chelsea.

* *Evelyn Correspondence*, iv. 75, ed. 1854.

† *Evelyn Cor.* iv. 76.

porary songs and libels, which, contemptible and little credible as they generally are, will yet be found to reflect, in some shape or other, the party beliefs and hatreds of the day.

Did I for this bring in the Scot
(For 'tis no secret now—the Plot
Was Say's and mine together):
Did I for this return again,
And spend a winter there in vain,
Again to invite them hither!

It was hardly attempted to be concealed, in short, from any of the King's friends, that his Majesty had taken advantage of his present visit to Scotland to satisfy himself of the secret understanding that had formerly existed between the leaders of the army of the Covenant and the leaders of the English House of Commons; and though even Royalists might reasonably doubt whether such a charge could be made the basis of impeachment against suspected rebels in England, after a grant to the avowed rebels in Scotland of an act of oblivion so complete, that by the Crown's grace and favor Montrose was now a Marquis, Argyle Scottish Chancellor, and the little crooked Field-Marshal of Balgony an English Earl, yet the fact of such evidence existing against the English members was freely spoken of, and was the subject of covert allusion in the correspondence of Nicholas and the King.

"Some day they *may repent their severity*.
"... I believe, before all be done, that they will

Libels on Hampden.

Avowed rebels pardoned.

Suspected rebels to be impeached.

The King's threats against the popular leaders.

"not have such great cause of joy."* "You may see by this that all their designs hit not; and, I hope, before all be done that they shall miss of more."† "Though I cannot return so soon as I could wish, yet I am confident that you will find there was necessity for it, and I hope that many will miss of their ends."‡ These, and other similar expressions, show how strongly the conviction had taken possession of the King's mind, that he was bringing back with him to London the means of ridding himself effectually of the members of the House of Commons who were most obnoxious to him.

Treasons committed in Parliament.

Coercing a minority put forth as breach of privilege.

On his return, indeed, he enlarged the scope of the accusation, so as to take in their conduct in parliament. To this the tone adopted by Hyde, Palmer, Culpeper, Falkland and their followers, in the Remonstrance debates, may be said to have urgently invited him; and he affected to believe, with them, that the minority had been so coerced in those momentous discussions as to have endangered the continued existence of parliamentary rights. But, irrespective of all this, the resolution to try an impeachment seems clearly to have been taken while he was yet in Edinburgh; and it was but the after suggestion of mingled

* The King to Nicholas, 5th Oct. 1641. *Evelyn Cor.* iv. 78, 79.

† Same to same, 9th Oct. 1641. *Evelyn Cor.* iv. 80.

‡ Same to same, 12th Nov. 1641. *Evelyn Cor.* iv. 81.

fear, irresolution, and obstinacy, which induced him on the very eve of its trial, to attempt (as it will be shown shortly that he did attempt) to bribe over to his service the principal "traitor."

Nor have such indications been wanting, as the many curious details produced from the MS. Journal of D'Ewes during the progress of the Debates on the Remonstrance will have supplied, of a kind of consciousness on the part even of the members chiefly in danger, that some blow to be struck in secret might be preparing against them. We may there observe with what eager and prompt decision, when Mr. Waller threw out his ingenious parallel between Pym and Strafford, Pym met the challenge of his loyalty, and forced the House to a specific declaration upon it. The King had not been five days in London, after his arrival from Scotland, when the same leader of the Opposition had occasion to ask from his place, whether it did not become the representatives of the people to take serious note of the many signs around them of a conspiracy by some members of the Commons House to accuse other members of the same of treason? And when, on the 20th December, the question was independently discussed which had caused such agitation in the Debates of the Remonstrance, whether a minority in the Commons might not have the same liberty as in the

Signs of danger abroad.

30th Nov. 1641. Alleged conspiracy to get up charges of treason.

Argument for giving weight to a minority. Lords of protesting against the decisions of the majority, Mr. Holborne employed the significant argument that the absence of such a right, in the event of the majority having passed any measure carrying with it grave consequences, would involve as deeply in those consequences the resisting members of the minority, who might "lose their heads in the crowd when there was nothing to show who was innocent."* A vague feeling of individual insecurity, a shadowy sense of some possible impending danger, was now certainly prevalent among members of the Houses in a manner not before known; and at the very hour when that remark was made by Holborne, D'Ewes, who had left to attend the King at Whitehall with an address, was with some alarm making a note for his Journal of the "confident and severe look" with which Charles, not deigning to receive the obeisances of honorable members, passed out through the midst of them.† It is a pity that confidence and severity should have been most the characteristics of this prince, at the very times when it most behoved him to distrust himself and conciliate others.

Alarms generally prevalent.

Confidence of the King.

* See Sir Ralph Verney's *Notes of the Proceedings of the Long Parliament*, 135, 136; and the admirable note thereon of the editor, Mr. Bruce.

† Harleian MSS. 162 f, 265 a. See also my *Hist. & Biog. Essays*, i. 165.

§ III. FALSE RELIANCES.

THE end to which matters were hastening had now become manifest enough. Confident in his own secret persuasion that the means of vengeance were in his hand, and misled by the accident of a Royalist Lord Mayor into believing also, in the teeth of every other indication to the contrary, that a strong Royalist party existed in the City, the King's public conduct since his return, under the further exasperation of the passing, presenting, and printing of the Remonstrance, and of the tone adopted by its authors in debate, had been a series of acts that could have but one issue. Before retracing them, let me show on what precarious foundations had been built the tone of confidence and defiance so suddenly and unadvisedly assumed.

The City entertainment provided by the enthusiastic First Magistrate had been arranged to take place on the day of Charles's arrival in his capital, and for the moment it fairly turned the heads of the King's friends as well as his own. Captain Slingsby informs his admiral that it was a magnificent reception, and that since his coming to town he had been greatly pleased to observe a very great alteration of the affections of the City to what they had

The Royalist party in the City.

Banquet at Guildhall.

King's reception thereat : been when he went away.* Mr. Sidney Bere writes more cautiously, but remarks that all looked very "stately and well."† Mr. Thomas Wiseman protests that it was a reception and glorification of so much worth, as to be far beyond the precedent of any made to former Kings that history makes mention of; and that it had well suited with the goodness, sweetness, and meritorious virtue of so gracious a king as theirs was; adding, that his Majesty had "knighted in the field" the Lord Mayor and Recorder, and, to add more grace to so loyal a Chief Magistrate, had been pleased, the day after the banquet, to make him a Baronet.‡

Lord Mayor Gourney made a Baronet.

Welcome news for the King.

But perhaps the most striking indication of all that now tended for the time completely to deceive and mislead the credulous King, was a letter dated the day after Mr. Wiseman's admiring effusion, which the new Secretary of State, to whom it was addressed, must with some exultation have submitted to his master. It was from Lenthal, the Speaker of the House of Commons. This weak and commonplace man, so soon to be for ever associated

* MS. State Paper Office. Capt. R. Slingsby to Admiral Sir John Pennington, 25 Nov. 1641.

† MS. State Paper Office. Sidney Bere to Admiral Pennington, 25 Nov. 1641.

‡ MS. State Paper Office. Wiseman to Pennington, 2d Dec. 1641. Court scribes made the most of it of course; and under the title of *Ovatio Carolina*, in *Somers's Tracts*, iv. 137, will be found a ludicrously pompous account of the affair.

in history with an apparently high-spirited Speaker Lenthal assertion, in his own person, of the privilege alarmed : and independence of the House of Commons, was now only eager to be quit of his employment, and proffer servile suit to the King. Wiseman truly characterises him as a man of a very narrow, timorous nature, and it seems probable that the fierce debates on the Remonstrance had thoroughly alarmed him.* With his opportunities of observation, he could hardly fail to have satisfied himself that a conflict of a yet more serious kind now impended between the King and the House, and this letter is decisive of his belief that the victory would be to the King. Nor was it possible that Charles himself should have drawn any other construction from it. In continuing to remain where he is, in the chair of the House of Commons, Lenthal sees only utter failure to his life, the ruin of his estate, and poverty for his children. He prays to be relieved from his too onerous dignity, and to become once more the meanest subject of a sovereign whom he professes to regard with abject veneration. and to become again the meanest subject of his sovereign.

* For illustrations of his character, and his sufferings at the hands of honorable and not respectful members, see my *Hist. & Biog. Essays*, i. 82-84. Another opportunity of advertg to the subject will occur in this narrative, but meanwhile I may add what is said, correctly enough, by Clarendon (*Hist.* i. 297). "In a word he was in all respects very unequal to the work: and not knowing how to preserve his own dignity, or to restrain the licence and exorbitance of others, his weakness contributed as much to the growing mischiefs as the malice of the principal contrivers."

Speaker
Lenthal
to Secre-
tary
Nicholas,
3rd Dec.
1641.

Invokes
the
King's
sacred
mercy.

Craves
Mr. Secre-
tary's help
in lowest
posture of
obedience.

"Right Honorable and Most Noble S^r,"
runs this remarkable letter, written on the
fourth day after the appointment of Nicholas
as Secretary of State,* "The assurance of
" your noble favours imboldnes me to commit
" to your care the greatest concernment y^e ever
" it befell me, the desyer beinge enforced by
" an unavoidable necessity. I have now in
" this imployment spent almost 14 months,
" w^{ch} hath soe exhausted the labor of 25 yeares,
" that I am inforced to flye to y^e sanctuary of
" his sacred mercy. Could I suppose that my
" humble sute (grounded on y^e full expresseion
" of duty and obedience) should have other
" interpretation, or seeme unfitt in the deepe
" judgm^t of his Sacred Ma^{tye}, I should then
" desyer my thoughtes may perish in their first
" conception, soe willinge am I to offer myselve
" and fortune a sacrifice for his Royall Service :
" but in that I hope it cannot, I most humbly
" desyer your honor on my behalfe (in y^e
" lowest posture of obedience), to crave of his
" Sacred Ma^{tye} his Royall Leave that I may use
" my best endeavour to the House of Comons
" to be quitt of this imployment and to retyer
" backe to my former privat Life, that whilst I
" have somme ability of body left, I may en-
" deayour that wthout w^{ch} I cannot but expect

* MS. State Paper Office. It is dated 3 December, 1641 ;
and is addressed, " The Rt. Hon. Sir Edward Nicholas, Knt.,
" one of his Ma^{tyes} Secretaries of State, Humbly present
" thes."

" a ruine, and put a badge of extreame poverty
" uppon my children. The apprehension of
" my speedy ensuing misery, hath begot this
" most humble regret, but still with that dew
" regard of my obediene and duty that noe
" earthly consideratiō shall ever increase the
" leaste of thoughts that may tend to the re-
" tardment of his Royall Commands. S^r, this
" being p^rsented to your honour^{ble} care, assures
" me of such a successeful way as shal be-
" comme the duty of me his meanest subject
" in all humilitie to beseech. Thus am I im-
" boldened humbly to declare the relation and
" desyers of your Honor's most obedient ser-
" vant, WM. LENTHAL."

To the King, so willing to be duped, and
exulting still in the belief that he had at last
won friends in the City all powerful, here
might be ground hardly less for belief that in
the House of Commons his enemies were
falling asunder. Charles clutched at it, and
desperately held to it, with the impulsive
weakness of his nature. But never was such a
belief raised on such baseless foundations.

Already, the very day before Lenthal's letter
was written, a suspicion that they were false
reliances had occurred even to Captain Slings-
by. " Since the King's coming," he writes,
" all things have not happned so much to his
" contentment as by his magnificent intertaine-
" ment att his entrance was expected. . . .

Expects
ruin from
continuing
in the
Chair of
the House.

A willing
dupe.

Captain
Slingsby
to Admi-
ral Pen-
nington,
2nd Dec.
1641.

Factionous
Citizens.

"The factionous Citizens begin to come again to the houses with their swordes by their sides, hundreds in companies; their pretences only against Episcopacie."* After a few days Sidney Bere, reflecting doubtless the temperate misgivings of his master the Secretary, writes of the fears and distractions increasing daily in London, and that such truly were not without cause, for that the existing contention in the House, and on points of so high nature, could not bring about less than confusion and combustion in the end, if God did not prevent it.† Nor from this date had a week passed

Fears and mis-
givings of
the best
informed.

The King
and the
two
Houses.

Citizens
and
M.P.'s.

Sir Ed-
ward
Dering.

* MS. State Paper Office. Slingsby proceeds to say of the King: "The next day after his coming he was expected at the Parliament, but he went away to Hampton Court; he came again on Monday last and was expected on Tuesday at the House, but he went back the same night he came. Since that, a Petition hath been sent to him concerning the Remonstrance which had formerly been so much debate: and to desire the nomination of the greater officers as he had granted to the Parliament in Scotland. This day the King came to London again: at noone it was questioned whether he would go to the House or no, but I hear since he is gone." Of the factionous Citizens he also further remarks in this letter: "One of the House was strictly examined by them of which side he was, in such a manner that with good words he was gladd to slippe from them: after he was gone some of them were heard to name him—saying it was such a one—the greatest enemy we have. He made complaints of it to the House. Yesterday a conference between the two Houses wherein this matter was ment^d and a declaration agreed to be sett out to prohibit the like assemblies hereafter . . . This day the House are upon Sir Edward Dering who it is thought will be called to the barre for something he hath spoke in the House."

† MS. State Paper Office. Sidney Bere to Admiral Pennington, 9th Dec. 1641. There is so pleasant a testimony in this letter to the character of Nicholas, not merely to his activity and industry, but to that sweetness of disposition and moderation of temper which is borne out by all that is

before Captain Slingsby wrote with an alarm which he hardly attempts to conceal, of the display of manifestations of feeling from the City, of a far more decisive and serious kind than those which so lately had startled him.

Whereas it had been alleged that last week's "solicitation of the Parliament" had proceeded only from the ruder sort of people, now it was certain that "some of the better sort of the same faction came in good numbers to the House, accoutred in the best manner they could, and in coaches, to prevent the aspersions that was layed upon them that they were of the baser sort of people only which were that way affected." They had come, moreover, not merely to petition for the removal out of the Upper House of the popish Lords and Bishops to whom exclusively

Slingsby's
alarm.

Wealthy
and dis-
contented
citizens:

Come in
their
coaches to
the House.

publicly known of him, that the passage is worth subjoining. "By Mr. Valentine," he writes, "I acquainted you with the remove of Sir Hen. Vane, and that I had made my way unto his Ma^{ty} by the Murrays, which hath taken soe good effect that now I am with the Secretary Nicholas (the King having recommended me particularly); and he appearing most ready to accept me, mentioning with all the respect he bears unto you the affection you have always pleased to have for me, soe that I cannot faile of good usage, and indeed his disposition is soe sweete that he is not capable of other. By this recommendation from his Ma^{ty} I guesse we shall not suddenly have a second Secretary, since all the Forraigne dispatches as well as Ireland are delivered into Mr. Sec^{ry} Nicholas, who noe doubt will acquit himselfe well, being a man also very laborious and active, and in great favour with both their Ma^{ties}." Nevertheless Mr. Bere was wrong in his expectation: a second Secretary, to replace Vane, having already been selected in the person of Lord Falkland.

Character
of Sir Ed.
Nicholas.

Unpopu-
lar acts
of the
Lord
Mayor.

Second
thoughts
of Speaker
Lenthall.

Speaker
Lenthall
to Secre-
tary
Nicholas.

they imputed the stoppage of those Acts which had passed the Lower for the settling of religion, but also to complain "of some ill-affected persons in the Cittie that endeavoured to hinder their petition, wherein my Lord Mayor was comprehended, who the day before had given order to all the constables to raise their severall watches and be readie in armes, which has been very ill resented by the House."* So soon was the frail reed on which the King mainly relied, bending powerles under him. Poor Lenthall himself seems to have had a safer second thought, and had hastened to crave from Mr. Secretary Nicholas, "if the other way did not take," no longer the royal influence to relieve him of Mr. Speaker's post, but the royal message customary in those times before Mr. Speaker's claim for a vote of money could be taken into consideration.† Shall we wonder that the Under Secre-

* MS. State Paper Office. Slingsby to Pennington, "aboard the Lyon in the Downes." The letter is dated by Slingsby himself "16 January, 1641," but this is a manifest error for the "16th December, 1641."

† MS. State Paper Office. This second letter is well worth subjoining textually. "Right Honourable, May it please your Honor," it runs, "If that other way doe not take, if you may finde oportunity (without prejudice to your selfe) let me entreat you to incline his Ma^{ty} to recomend me to y^e consideration of the House, by which meanes I may hope of some satisfaction; but this is totally left to your honor's considerati^on as oportunity offers, & y^e honor thincke fitt in your owne judgment. Thus humbly cravinge p^don for this great p^rsumption I can safely say noe man lives that is more

"Your honor's most humble servant,
WM. LENTHALL."

tary, not many days later, is found writing to An Under Secretary's
his friend the Admiral commanding in the Downs, "I pray God we find not that we
"have flattered our selves with an imaginary
"strength and partie in the citty and else-
"where which will fall away if need should
"be."*

§ IV. FATAL MISTAKES.

CHARLES nevertheless continued to act as if Fool-
that imaginary strength were solid and eternal. hardiness
On any other assumption we should have to of the
characterize as those of a madman the series of King.
his acts from the opening of December to
Christmas Eve. He had removed the train- Removes
bands on guard at the two Houses, and had sub- the Guard
stituted companies officered by himself. He from the
had put forth a most offensive order on Houses:
the subject of religious worship. He had Gives
recast the offices at Court, notoriously that office to
he might invite into his councils the leading leaders
opponents of the Great Remonstrance; † or of the
minority:

* MS. State Paper Office. Sidney Bere to Sir John Pennington.

† On the 2nd of December Mr. Thos. Wiseman thus writes Wiseman
(MS. State Paper Office), as his "affured and affectionate to Pen-
"friend to command," to Admiral Sir John Pennington: nington,
"My Lord of Holland, they say, hath lost himself both 2nd Dec.
"with the King and Queen; and for my part I believe it; 1641.
"because hee hath been observed to hold councils and
"consultations with the Lords in the absence of the King
"that have been against Episcopacie and the Booke of Common
"Prayer: W^{ch} his Ma^{ty} since his cominge home hath
"declaratively resolved to uphold, and with his lyfe to
"mayntayne. It is noyed there will bee suddenly a greate

Affairs
privilege:

Under
Secretary
Bere to
Penning-
ton, 25th
Nov.
1641.

Same to
fame,
9th Dec.

Court
changes.

Same to
fame,
23rd Dec.

it might be with other hopes in that direc-
tion, secret as yet, or known to Pym alone.
He had assailed the privileges of the Commons

"remove at Court of cheiff office", and that Sir John Banks
"shall be Lord Treasr. Mr. Nicleys [Nicholas] was on
"Monday last sworne Secretary of State and knighted; and
"my Lord Savill had the staff given him at Yorke of being
"Treasr of the King's Household in Mr. Secret^r Ffane's
"place, who it is thought will not bee Secret^r long. He
"hath very ill lucke, to bee neither loved nor pittied of any
"man." Some few days before, Sidney Bere had written
(MS. 25th Nov.): "At Newcastle I understand Mr. Secretary
"Vane was commanded to deliver up his staffe of Treasur^r;
"wh^{ch} was confered att Yorke upon my Lord Savile: it is
"what was long spoken of & expected by him, and soe it
"will be noe greate newes to you. The place of Secretary he
"still keepes: w^{ch} if he continue, as I see no great appear-
"ance to the contrary, he will not much reflecte on the losse
"of the other." Seven days later, the Under Secretary wrote
again (MS. 9th Dec. 1641) to the Admiral: "The report
"goes strong with us that many great removes more shall be,
"out of hand; what ground there is for it, I cannot tell, but
"thus the speech goes: Sir John Bankes to be Lo. Treasr,
"Chamberlaine made Admirall, and Bristow Chamberlaine;
"Holland, Newport, and some say Hamilton, also to be
"displaced. In the mean time we have a Lo.-Steward w^{ch} is
"Duke of Richmond. And thus we have and shall have
"many changes and removes in Court. Sr Henry Vane the
"Yonger, its generally said, and believed, will loose his place.
"I writt you of it by my last; and mythinkes, if you have
"a thought that way, a timely office done by Mr. Secretary,
"who is soe much your friend, might be of good use."
Welcome to the Admiral, however, as the place of Treasurer
of the Navy would have been in quieter times, the troubled
reports of his correspondents appear to have decided him not
to apply for it. On the 23d Dec. the Under Secretary
writes (MS. State Paper Office), after mentioning the dissatis-
faction of the Commons at the removal of Young Vane:
"Yet still, Sr Wm. Penningman [Pennyman] stands the man
"designed for it, though as yett nothing (to my best know-
"ledge) hath past to that purpose. But I easily assent to
"yo^r opinion that in such distempered tymes as these are,
"you have little desire to muster up friends for any employe-
"of that nature, howsoever it were to be wished a place of
"that trust had a man of yo^r experience and worth—but I
"stirre noe further in it, since its not yo^r pleasure."

in a vital point, by an intemperate message of Interferes
disapproval during their discussion of a bill for with a bill
raising foldiers by impressment. He had rashly under
issued, on the very day after the citizens pre- discussion:
sented their petition against the Bishops, a pro- Enforces
clamation commanding the severe execution of laws
the statutes against all who should bring in ques- against
tion or impugn the book of Common Prayer. Puritans:
And while thus harsh in pressing, on the one
hand, the law against Puritan opponents of the
Church, he had the inconceivable folly to
respite its operation, on the other, in favour of
certain Roman Catholic priests who had in- Remits
curred the wrath of the Commons and fallen penalties
under sentence of the courts, and whose lives against
lay justly forfeit. Roman
Catholics.

What occurred thereupon would have
daunted a sovereign of the Tudor line, but
Charles the First had as little of the bold
resolution as of the considerate fear which alone
is truly valiant. At the same sessions when Partial
these priests were condemned to die, there had execution
also been condemned to death several men for of the
common offences. It was not supposed pos- laws.
sible, after a reprieve had been sent to the Jesuit
offenders, that their fellow-prisoners, con-
demned for offences held then to be compara-
tively venial, would be executed. An order
for the execution was nevertheless received,
and the agitation throughout the City was
extreme. Monday the 13th December was

Refisted
by the
people.

appointed for the execution; but on the previous Sunday evening arms had been secretly conveyed into Newgate, and open resistance was made next day to the attempt to carry out the warrant. The resistance was overmastered that night, the wealthier citizens, however indignant at the King's interference, not choosing themselves to interfere against the law; and on the Tuesday the men were hanged.* The incident

Slingsby to
Pennington,
16th Dec.
1641.

* I discover these curious facts in a letter which Captain Slingsby writes (MS. State Paper Office) to Pennington on the 16th of Dec. (the letter is dated by mistake the 16th Jan.). He mentions the City petition against the Bishops and their continued attempts to enforce the Liturgy, and proceeds: "The next day after the delivery of the petition the King sett out a proclamation commanding the severe execution of the lawes against the contemners and oppugners of the Common Prayer Booke; and an other commanding all men whatsoever that had right to sitt in Parliament to repaire thither by the twelfth of Janu. These gave great distast to that faction of the Cittie that were the petitioners. There was a very greate Sessions the last weeke, where there were seven priests condemned but reprieved by the Kinge: many for other crimes: Munday last being appointed for their execution. Some body had conveyed some armes into Newgate to them the night before: so y^t they ceazed upon the prison, and stood upon ther defense most part of that day: but at night were overmastered and the next day hanged . . . the House is much distracted at the reprieve of the Priests, and att the forraigne Ambassadors for meddling in itt, especially at the Frenche, who did lay downe some reasons w^{ch} did aggravate ther distast." Clarendon has not noticed this remarkable incident, nor is it mentioned in any of the histories, but in advertting to Secretary Windebank's flight he leaves us no room to doubt the view he was himself disposed to take of such a "suspending power" as Charles was practically exerting in these reprieves of popish offenders. "I could never yet learn," he says, speaking of the conduct of the leaders of the House, "the true reason why they suffered Secretary Windebank to escape their justice, against whom they had more pregnant testimony of offences within the verge of the law than against any person they have accused since this parliament, and of some

Attack
upon
Newgate.

Reprieves
of Popish
offenders.

left such a sence rankling in the breasts of all classes of citizens, as the wisdom of the most powerful of princes might have feared; but Charles the First only the more bethought him how better to restrain and curb these factious and rebellious citizens. And as, for other reasons, his mind had been brooding over a measure on which he had lately resolved, to obtain more complete command of the Tower, he selected this precise time to give effect to an intention which was to carry with it the most disastrous consequences.

The Tower commanded the City. It was the "Bridle" to the too restless citizens, as the courtiers commonly called it;* and it was essential not more to the safety of those well affected to the House of Commons than to the security of the House of Commons itself, that its Governor should be a man in whose good faith they had confidence. Sir

A time for
caution.

Disastrous
revolve of
the King.

The
Tower:

and its
Governor.

"that, it may be, might have proved capital, and so their appetite of blood might have been satisfied; for, besides his frequent letters of intercession in his own name, and signification of his Majesty's pleasure, on the behalf of papists and priests, to the judges, and to other ministers of justice, and protections granted by himself to priests that nobody should molest them, he harboured some priests in his own house, knowing them to be such, which, by the statutes made in the 29th year of Queen Elizabeth, is made felony; and there were some warrants under his own hand for the release of priests out of Newgate who were actually attainted of treason, and condemned to be hanged, drawn, and quartered: which, by the strict letter of the statute, the lawyers said, would have been very penal to him."—*Hist.* i. 311-312.

Winde-
bank's
crime and
escape.

* Clarendon, *Hist.* ii. 81.

Balfour
removed.

Lunfford
appointed:

His infa-
mous
character.

His close
friendship
with Lord
Digby.

Lunfford's
warrant.

William Balfour was such a man, as he had shown by his resolute refusal of enormous proffered bribes to connive at the escape of Strafford. But Balfour, the tried friend of the Parliament, was now suddenly removed from this all-important command, and it became known, on Christmas eve, that in his place there had been appointed a soldier of evil character and infamous name, whose only conceivable qualification could have been, that of presenting himself to the Court as a mere desperate tool for any kind of reckless service.* He was a man, says Sir Simonds D'Ewes, given to drinking, swearing, quarrelling, and other vices; much in debt, and very desperate.† More than ten years before the present date Lord Dorset had characterised him as a young outlaw who feared neither God nor man, and who took a glory to be esteemed rather a swaggering ruffian than the issue of an ancient and honest family. He belonged to the army of the North, and had been deeply involved in the plots for bringing it up to overawe the Parliament.

Clarendon cannot but admit that such was the confessed and notorious repute of Lunfford, who was nevertheless companion and friend to

* The warrant of the appointment of "our trusty and well-beloved servant Col. Thomas Lunfford," is in the State Paper Office. It is given "under our signet at our Court at Whitehall the 22d Day of December 1641," and is addressed to Lords Manchester, Dorset, Dunsmore and Newburgh.

† *Harl. MSS.* 162, f. 272 b.

his excellent friend Lord Digby; and he explains with sufficient frankness, though after his usual fashion, the object of the King and Lord Digby in appointing him.* It was, that, having now some secret reason (which, he interposes but his editors omitted, "was not a "good one") to fill that place in the instant with a man who might be trusted, this man

Object in
appoint-
ing him:

* His account of Lunfford's appointment is indeed in Clarendon every way highly characteristic. Sir William Balfour having, don't he says, had from the beginning of this parliament, "accord- account- ing to the natural custom of his country" (Balfour was of the a Scotchman, and by the prudence of Hyde's first editors appoint- these words are erased from all the ordinary editions), "forgot ment. "all his obligations to the King . . . there had been a "long resolution to remove him from that charge . . . yet "there was neither notice or suspicion of it, till it was heard, "that Sir Thomas Lunfford was sworn Lieutenant of the "Tower; a man who, though of an ancient family in "Sussex, was of a very small and decayed fortune, and of no "good education; having been few years before compelled "to fly the kingdom, to avoid the hand of justice for some "riotous misdemeanour . . . he was so little known, except "upon the disadvantage of an ill character, that, in the most "dutiful time, the promotion would have appeared very "ungrateful." And then follows one of those sentences of Clouds of endless involution, and confusion of all relatives and ante- cedents, from which it is extremely difficult to elicit the precise meaning. He asserts that Lunfford's appointment was secretly the work of Lord Digby, who had meant to give it to his brother, "but *he* (the brother) being not at that time in town, "and *the other*" (strictly this ought to mean the king, but Lord Digby seems really meant) "having some secret Digby the "reason (which was not a good one)" the latter words also 'scapegoat. are erased from the ordinary editions—"to fill that place in "the instant with a man who might be trusted; *he* suddenly "resolved upon this gentleman, as one who would be faithful "to him for the obligation, and execute anything he should "desire or direct,"—hold fast the five members, for example, if he could once get them shut up in the Tower? But how monstrous the attempt of Clarendon to put up Digby in such a purpose as the 'scapegoat for the King—if (which perhaps is doubtful) the last quoted "*he*" must be taken to stand for Digby and not for the King himself.

A man to
execute
anything:

and keep
the five
members,
once
arrested,
safe.

was suddenly resolved upon as one who would be faithful for this obligation, and execute anything that should be desired or directed. A laboured periphrasis, which Bishop Warburton puts into plain speech when he writes upon the margin of the page containing it, that the object was "to keep the five members safe whom it was determined to arrest." "So as now," writes D'Ewes, in that entry of his Journal of the 24th of December which reports the discussion upon Lunsford's character, preserves the angry speeches respecting him of the members for York, Middlesex, and Essex (Sir William Alifon, Sir Gilbert Gerrard, and Sir William Masham), sets down the King's proclamation confirming the appointment, and laments over the vote of the Lords declining to join the Commons in prayers that it should be cancelled,* "So as now all things

Lords who
sided with
majority in
Commons.

Duke of
Rich-
mond's
fall: 26th
Jan.
1641-2.

* The minority of twenty-two peers who protested against this too scrupulous objection to interfere with the King's prerogative of placing or displacing his officers, gives us the names of the leading members of the popular party in the Upper House. They were the Earls of Northumberland, Essex, Pembroke, Bedford, Warwick, Bolingbroke, Newport, Suffolk, Carlisle, Holland, Clare, and Stamford, and the Lords Say and Seale (old Subtlety as he was called), Wharton, St. John, Spencer, North, Kimbolton, Brooke, Grey de Werk, Robartes, and Howard de Escricke. It may be worth adding that, a very few weeks later, upon the incident of the 26th Jan. 1641-2, when the Duke of Richmond perpetrated his famous fally of proposing to evade the Militia bill, sent up from the Commons, by adjourning for six months, twenty-four Peers entered a protest against the vote requiring the Duke to make submission and ask pardon, as "not a sufficient punishment for words of that dangerous consequence." On this occasion seventeen of the foregoing

"hasten apace to confusion and calamity; Evil fore-
"from which I scarce see any possibility in bodings of
"human reason for this poor Church and Sir Simon
"Kingdom to be delivered. My hope only D'Ewes.
"is in the goodness of that God who hath
"several times during this parliament already
"been seen in the Mount, and delivered us
"beyond the expectations of ourselves and of
"our enemies, from the jaws of destruction."*

An address for Lunsford's removal was that Address
day voted in the Lower House without a voted for
dissentient voice; and the Constable of the Lunsford's
Tower, the Earl of Newport, was requested removal.
for the present to take command of the place
and to lodge therein.

The desire of the House was conveyed to
Lord Newport by Sir Thomas Barrington and
Mr. Henry Marten, who were informed there-
upon that he was no longer Constable. The King Dismissal
had suddenly dismissed him for an alleged dis- of Lord
loyal speech during the royal absence in Scotland. Newport.
The incident further shows in what direction
all was now rapidly tending. The charge The
against Lord Newport was that on the occa- charge
sion of a meeting held at Kensington, at which against
him:
Pym and Lord Kimbolton were present, as well

names reappeared, with omission of those of Lords Newport, Carlisle, Clare, Say and Seale, and North, but with addition of those of the Earls of Lincoln and Leicester, of Viscount Conway, and of Lords Chandois, Hunsdon, Paget, and Willoughby de Parham. See Sir Ralph Verney's *Notes*, p. 149. * *Harl. MSS.* 162, f. 278 b.

A proposal to seize hostages for the King's good faith. as Nathaniel Fiennes, his father Lord Say and Seale (old Subtlety), Lord Wharton, Lord Dungarvon, and Sir John Clotworthy, upon some discourse of an apprehended design to overawe the Parliament by means of the army of the North, the Earl had remarked, "If there be such a plot, yet 'here are his wife and children,'"* meaning that these might be seized as hostages. Taxed with the words by the King himself, Lord Newport indignantly denied them: upon which, with insulting addition, the question was repeated: "You can tell me nothing more than 'I know already; therefore consider well 'what you answer.'" Lord Newport answered with vehement repetition of his denial; and the King, contemptuously professing sorrow for his Lordship's memory, intimated that he was no longer Constable of the Tower, and turned upon his heel. That was on the afternoon of Friday the 24th December. On Wednesday the 29th the King informed the House of Lords that he had never believed the charge against the Earl, and desired it to be withdrawn.

The lie given to Lord Newport, 24th Dec.

The lie retracted, Dec. 29th.

Such was the wonderful, the almost incredible levity of Charles the First, in matters of accusation the most grave. Between that 24th and 29th of December the aspect of

Warnings in the interval.

* See *Commons Journals* (Tuesday 28th December), ii. 359.

affairs had grown more serious, frequent gatherings together of large numbers of the people had increased, discontent took a threatening aspect, and on the eve of the most desperate resolution of his life, his wavering irresolute temper seemed to have yielded suddenly. The withdrawal of the charge against Lord Newport was one indication; but another, much more remarkable, and hitherto unsuspected by any historian, is now to be disclosed.

Sudden yielding of the King.

Extraordinary determination taken.

§ V. PYM AND THE KING.

Beyond all question the most popular man in England at this time was Pym. The attempts made upon his life during the debates on the Remonstrance, and above all the victory obtained in that struggle, had raised him even higher than during the memorable conflict with Strafford. It was not simply that he was the foremost man in the Parliament by which so much had been achieved for the people, or that its very existence was in some measure due to him, but also that he alone represented in his person the parliaments of former years, and those usages and precedents, become since the very bulwarks of freedom, which had only then been won by the hard and desperate endurance, the long imprisonments, not seldom the deaths, of the great men of the past. In him the people still saw the Cokes, the Eliots, the Sir

Popularity of the leader of the Commons.

Its causes.

Pym imprisoned for his opinions in 1614.

A member of the Parliament of 1620.

One of James the First's "twelve kings."

Antiquary Cotton's sufferings at seizure of his library.

Robert Cottons,* remembered and honored as the earliest martyrs of the Stuart Kings. He had himself been the inmate of a state prison, as the reward for his conduct as a representative of the people, now nearly eight-and-twenty years ago. He had been a leading member in that wise and noble assembly which met in 1620, and abolished the infamous monopolies at that time eating out the heart of the kingdom.† He was one of the twelve who carried their famous declaration to King James at Newmarket, when the quick-witted shrewd old monarch called out, "Chairs! "chairs! here be twal kynges comin!" In all the subsequent parliaments of that and the succeeding reign he had played a distinguished part; and when, after intermission of those conventions for twelve years, they met once more in April 1640, and men gazed upon each other looking who should begin, much

* On pretence of a charge that he had furnished precedents to Selden and Eliot, Sir Robert Cotton's noble library was seized and held by the King, and unable to survive its loss the great scholar died. "When," says D'Ewes, "I went several times to visit and comfort him in the year 1630, he would tell me they had broken his heart that had locked up his library from him . . . He was so outworn within a few months, with anguish and grief, as his face, which had formerly been ruddy and well colored, was wholly changed into a grim and blackish paleness, near to the resemblance and hue of a dead visage." A few months afterward he was dead.

† "A parliament" it is well said by the leading liberal statesman of our time, "to which every Englishman ought to look back with reverence." Lord John Russell's *Essay on the History of the English Government and Constitution*, p. 50.

the greater part, as Clarendon says, having never before sat in Parliament, there quietly arose to his place at their head the man above all others qualified by experience, by eloquence, and by courage to lead the English people. It was then that Pym's extreme influence struck root, and his name became a word familiar over England. This was he who, in that brief Parliament so fatally dissolved, had told the wonderful story of their wrongs, which was all it bequeathed to the suffering millions. This was he who chiefly had wrested from the Court its assent to the greater and stronger Parliament, from which at last redress was come. This was he who, on the issue of the writs for that memorable assembly, had with Hampden ridden England through, to urge upon all its inhabitants their duties and their right, to choose honestly and petition freely. This finally was he who since had broken down for ever the tyranny of Strafford and of Laud, and who now had published to the world the Great Remonstrance. Shall we wonder if every nook and corner of the kingdom were pervaded with his influence and renown, and that, so identified with the past, on him it might almost seem exclusively to rest what the future was to bring. "I think Mr. Pym was at this time," says Clarendon, "the most popular man, and the most able to do hurt, that hath lived in any time."

Rises to the place of Leader: April, 1640.

Qualities and services which endeared him to the people.

Clarendon's tribute to Pym's popularity.

Former
intercourse
with the
King.

Negotia-
tions again
opened.

Why the
King's
efforts to
conciliate
failed.

Already once the King had turned to him in a terrible extremity. When the scheme was on foot to save the life of Strafford he had offered Pym the Chancellorship of the Exchequer. Clarendon, who states the matter not unfairly, says the offer came too late, for that Pym and his friends could not then permit the Earl to live; and he regrets its failure on the ground that it would have given the King some able men to advise and assist him.* Strange and startling as it seems, amid the events I am here describing, the King appears to have now again, even with what he afterwards alleged to be the proof of treason in his hand, opened a negotiation with the parliamentary leader for acceptance of the same office. The details I have not been able to ascertain,

* There is much beside said by Clarendon on this head, which, though coloured of course by his peculiar manner and tone, throws light upon the real causes of the failure of every effort at accommodation: "But the rule the King gave himself (very reasonable at another time) that they should first do service and compass this or that thing for him, before they should receive favour, was then very unseasonable; since, besides that they could not in truth do him that service without the qualification, it could not be expected they would desert that side, by the power of which they were sure to make themselves considerable, without an unquestionable mark of interest in the other, by which they were to keep up their power and reputation. And so, whilst the King expected they should manifest their inclinations to his service by their temper and moderation in those proceedings that most offended him, and they endeavoured, by doing all the hurt they could, to make evident the power they had to do him good, he grew so far disoblige and provoked that he could not in honour gratify them, and they so obnoxious and guilty that they could not think themselves secure in his favour." *Hist.* ii. 61.

beyond the fact that the offer was made to Pym alone. King Pym* the people

* The reader may perhaps be amused by one or two Royalist examples of the use the Royalist libellers made of this libellers epithet. As thus: of Pym.

Your serious subtilty is grown so grave,
We dare not tell you how much power you have.
At least you dare not hear us. How you frown
If we but say, King Pym wears Charles's crown!

Well, we vow
Not to act anything you disallow:
We will not dare at your strange votes to jeer
Nor personate King Pym with his state-spear!

The Players' Petition.

Or again: from *Pym's Anarchy*:

Ask me no more why Strafford's dead,
And why we aimed so at his head?
Faith, all the answer I can give,
'Tis thought he was too wise to live!

Things
done when
Pym was
King.

Ask me no more why in this age
I sing so sharp without a cage
This answer I in brief do sing;
All things were thus when Pym was King.

Or, from the *New Diurnall*:

And yet their Rebellion so neatly they trim
They fight for the King, but they mean for King Pym.

Or, from that Epigram upon *The Parliament's Beliefs* which shows how far such libellers could go:

Is there no God? let's put it to a vote.
Is there no Church? some fools say so by rote.
Is there no King, but Pym, for to assent
What shall be done by Act of Parliament?
No God, no Church, no King—then all were well
If they could but enact there were no Hell.

A pro-
posed
enactment.

Or, from the *Cavalier's Prayer*:

Lawn sleeves and surplices must go down,
For why, King Pym doth sway the crown—
But all *are* Bishops that wear a Black Gown,
Which nobody can deny.

Or, finally (for such illustrations might be indefinitely prolonged), from the libel of which the opening lines also

King
Pym:

called him ; and the incident, one of the last before the country separated into two hostile camps, and hardly credible if simply related as from King to subject, might indeed rather seem to express the relation of sovereign to sovereign. But Charles had always, as will sufficiently be seen throughout this narrative, a feeling towards the great leader of the opposition against him, which appeared strangely to fluctuate between desire and dread. In the correspondence between himself and his Queen, Pym's name is that which most frequently occurs, whether the design be to inveigle and snare, or more openly to denounce, the most powerful of the parliamentary leaders;* and even in the Royalist songs against the popular tribune there is that which expresses, though very often in most extra-

Secret in-
fluence
over
King
Charles.

curiously reflect Pym's continuous and zealous efforts to enforce that early and full attendance at the House in which so many members of even the popular party were so frequently remiss:

Chides the
members
for late
attend-
ance.

Truth ! I could chide you Friends ! why how so late ?
My watch speaks eight and not one pin o' th' state
This day undone ! Can such remissness fit
Your active spirits, or my more Hellish wit ?
The sun each step he mounts to Heaven's crown,
Whilst Pym commands, should see a kingdom down.

Thus whilom seated was Great James's Heir
Just as you see me now, i' th' Kingdom's Chair.

Happiest
in storms.

Calmes proper are for guiltless sons of Peace,
Our vessels bear out best in stormy seas.
Charles must not reign secure whilst reigns a Pym :
The sun, if it rise with us, must set with him.

* See my *Hist. & Biog. Essays*, i. 19. *Pym's Junctio*, 1640.

gant forms, a something that yet involves him more closely with the King than is attempted against any other of the zealous and active men upon whom those reckless libellers emptied most eagerly their ribaldry and scorn.*

Songs and
Satires
against the
Parlia-
ment.

* For one instance take the following : selected from many of a similar character :

(*The Humble Petition of the House of Commons*).

Next, for the State, we think it fit
That Mr. Pym should govern it,
He's very poor :
The money that's for Ireland writ,
Faith, let them have the Devil a bit,
We'll ask no more.

(*The King's Answer to the Humble Petition*).

When you no more shall dare hereafter
A needless thing which gains much laughter,
Granted before ;
When Pym is sent Ireland to slaughter
And ne'er more hopes to marry my daughter,
You'll ask no more.

Pym and
the
" King's
daugh-
ter."

To this I may add some lines UPON MR. PYM'S PICTURE, which through all their violent abuse yet express a kind of awe and terror at the man's predominance and power.

Reader, behold the counterfeit of him
Who now controuls the Land—Almighty Pym !
A man whom even the Devil to fear begins,
And dares not trust him with successful sins.
A man who now is wading through the Flood
Of reverend Laud's and noble Strafford's blood,
To strike so high as to put Bishops down
And in the Mitre to controul the Crown.

Pym's
picture.

The wretch hath mighty thoughts, and entertains
Some glorious mischief in his active brains,
Where now he's plotting to make England such
As may outvie the villany of the Dutch :
He dares not go to Heaven, 'cause he doth feare
To meet (and not pull down) the Bishops there !

Must
avoid
Heaven
for fear of
Bishops.

Is it not strange that in that shuttle head
Three kingdoms' ruines should be buried ?

Pym's
constitu-
tional
opinions.

Alter-
nately held
up for
avoidance
and for
example.

Character-
istics of his
oratory.

Remarkable in every respect indeed was the mingled influence exerted by this famous member of the Commons over the Sovereign whose destiny he so largely controlled, and who never seems to have raised against him the hand to strike but with a misgiving that paralysed its aim, and soon or late brought himself into the suppliant posture to which he would have reduced his adversary. Still Pym is ever the person singled out for notice by Charles, and still the evil and the good alternate. Again and again, during the paper war which attended the events I am relating, and ushered in the more terrible war, Charles is found recurring to his speeches for causes of indignant protest, of expostulation, of reproach; but the day as surely comes later in the struggle, when Pym is lying in his grave in Westminster Abbey,* when his place is occupied by sterner and less scrupulous men, and when the poor King is fain to ransack the very speeches in which once he found nothing but rebellion, for maxims of constitutional lore, for just expositions of the monarchy, for counsels to respect the law. These, the most

Is it not strange there should be hatch'd a Plot
Which should outdoe the Treason of the Scot,
And even the malice of a Puritan?

Reader behold, and hate the poysonous man!
The Picture's like him: yet 'tis very fit

He adde one likeness more—that's—*Hang*, like it!

Pym's last
resting-
place. * "Mr. Pym was buried with wonderful pomp and mag-
nificence in the place where the bones of our English kings
"and princes are committed to their rest."—Clarendon, *Hist.*
iv. 441.

striking qualities of the orator, and from which even Charles could not turn away altogether unheeding, may indeed have had some influence thus early in bringing about a renewal of the offer of the Chancellorship of the Exchequer. Clarendon evidently thought so. He does not refer to it in express terms; but he helps materially to explain it when he intimates that even Hampden's accession, after his return from Scotland, to what was called the root and branch party in the State, had not entirely carried Pym along with it;* that the member for Tavistock had no insuperable dislike to the constitution of the English Church, apart from Laud's gross and cruel administration of it; and that in consenting to let Pym save the Monarchy, Episcopacy also might be saved. Be this as it may, the offer came too late. In the authority from which my information is derived, there is nothing to explain the circumstances of it, and I cannot discover that Pym himself made

Chancel-
lorship of
Exchequer
again
offered
to Pym.

Pym less
extreme
than
Hampden.

The offer
made too
late.

* "Mr. Pym was not of those furious resolutions against Pym not
"the Church as the other leading men were, and wholly adverse to
"devoted to the Earl of Bedford, who had nothing of that the
"spirit."—*Hist.* i. 323. "In the House of Commons, though Church:
"of the chief leaders Nathaniel Fiennes and young Sir
"Harry Vane, and shortly after Mr. Hampden (who had
"not before owned it), were believed to be for root and
"branch; which grew shortly after a common expression,
"and discovery of the several tempers; yet Mr. Pym was not
"of that mind, nor Mr. Hollis." *Ib.* i. 410. "Mr. Pym was
"concerned and passionate in the jealousies of religion, and
"much troubled with the countenance which had been given But to
"to those opinions that had been imputed to Arminius. . . . Arminian
"yet himself professed to be very entire to the doctrine and practices.
"discipline of the Church of England."—*Ib.* iv. 437.

Pym silent afterwards the remotest allusion to it. It is as to the King's offer: hardly likely indeed that any such reference from him would have been compatible with the terms on which it was submitted, with the respect still necessarily paid to Charles, or with the safety of his own position among the extreme members of the Commons. But Pym must well have known his danger in declining the offer, and that it thickened the royal snares which already were spread around him.

Rejects it. The fact is at any rate indisputable, that such an offer was specifically made and rejected. It rests on the authority of the member for Kent, Sir Edward Dering, whose services to the Court in the debates on the Grand Remonstrance had won him recent and grateful acceptance there; and whose colleague in the representation of the county, Sir John Culpeper, received the office on Pym declining it. In a private letter to Lady Dering, written early in January, containing other evidence of his favor at Court and with the Queen, he tells her: "The King is too flexible and too good-natured; for within two howers, and a greate deale lesse, before he made Culpeper Chancellor of the Exchequer, he had sente a messenger to bring Pym unto him, and wold have given him that place."* Cul-

Sir Edward Dering to Lady Dering, 13th Jan. 1641-2:
Describes Charles's overture to Pym.

* Since this letter was obligingly communicated to me, it has been, with many other very interesting papers from the Surrenden manuscripts, placed for publication in the hands of the Camden Society by the Rev. Lambert Larking, and

peper's patent is not dated until the 7th of January, but the office had been given to him several days before, and he had taken his seat at the Council Board on New Year's Day. The exact period of the offer to Pym can only now be guessed at, but we may narrow it within the limits of the last half of December.

Those days had seen several changes. The seals, which Windebank had voided by his ignominious flight, were given to Nicholas.*

the volume, already announced for publication under Mr. Camden Larking's editorship, will rank appropriately with the many Society other rare and important illustrations of this great period of books, our history in which the Camden Collection of books is peculiarly rich.

* I have found in the State Paper Office, and cannot resist quoting, a letter written by Windebank from Paris (whither he had succeeded in making good his flight), upon hearing that Nicholas had been appointed Secretary in his place. It exhibits the meanness of the man's nature; but more than this, it shows in my judgment plainly enough, that parliament was thoroughly justified in having charged the Ex-Secretary as accomplice with the Queen in private and illegal practices to favour the Roman Catholic religion. The letter is addressed to his son and dated the 27th (or in the English style the 17th Dec.), 1641. "Tom," it begins, "your letters Winde-
"were very wellcum both for the greate honor they brought bank to
"me from the Queene's Ma: & the good news of your health his son,
"and of the rest of myne in thole partes. I do forbear to 17th Dec.
"present my most humble thankes myselfe to Her M: for 1641.
"the same reason that She in Her wisdom did not think fitt
"to venter a lett' to me: Yet yo^e must not fail to passe that
"office in all humility for me, acquainting Her M: withall
"that I never was in a condition that more required her
"comfort and gracious assistance than now that I finde, by
"the disposing of the place I had the Honor to holde neere
"His M:, no hope left to serve my Royall Master againe,
"w^{ch} really is the greatest corosive to my harte that can be.
"I do acknowledge it is no more than I had reason to
"expect, & I thank God I have had time to be prepared for
"it. Neverthelesse now it is come I cannot be so stupid as
"not to be sensible of that w^{ch} ruines me and my posterity,

Old Vane finally dismissed. The Court exodus of Old Vane, whose staff of the Treasurer of the Household had been taken from him at Newcastle to be at York bestowed on Lord Savile, was now completed by the demand that he should deliver up the seals of Secretary, designed for Falkland.* The old

Grief at losing place.

Windebank to his son, 24th Dec.

A fellow-feeling.

"nor so iniurious to myne owne harte to think that after so many years painfull & faithfull services to both their M M: I have deserved it. My hope is that His M. hath done it to preserve me from a greater blow (though truly for my own particular & setting aside the interests of you & the rest of my poor children a greater cold not falle upon me) & that knowing my entire affections to his person & service most farr from the least guilte of any intention to offend, will in His Princely Goodnesse & His owne best tyme vouchsafe me & myne reliefe. In the meantime I shall esteem this & (if occasion serve) my dearest harte bloud a blessed sacrifice, if they may contribut any thing to the redresse of His M: affaires, hoping that this shall serve for satisfaction & expiation (even in the opinion of the most severe) for any offence taken against me; and so the displeasure of the time relente and go no farther, but that I may be permitted to retourne to myne own poor nest in the Country to end my dayes there in peace." Equally characteristic is the conclusion. The Queen in her secret communication had asked Windebank to attend the French court for her, and to this he pleads unfitness, by reason of the state of his mind, adding: "Besides I acknowledge I am not yet in case to appear in publique, nor can for the present wyne so much upon my self to looke upon a foraine Prince with any contentment, being deprived of the blessed & gracious aspect of my Matter."

* Poor Windebank upon this writes to Son Tom from Paris ^{24th Dec} 1641-2, taking the strictly economical view of Vane's dismissal, "The newes of the removall of Sir Henry Vane from the place of Secretary is very strange heere, and truly my owne condition makes me sensible of his, wch considering his great burden of children is very considerable. But wthall I am infinitely comforted wth that of the D. of Richmond wch is one of the noblest things the K: hath don of many yeares & of singular consequence to his service. If I durst, I would wish yo^r to congratulat with His Gr: in all humbleness from me." It is quite in character that Windebank should consider the appointment

man's disgrace was but part of the punishment over which Charles had brooded ever since Strafford's trial, which but for his weakness and isolation he would then have inflicted, and which now he thought himself strong enough to inflict, not simply on Vane himself but on his son. Young Vane, who held the office of joint Treasurer of the Navy with Sir William Young Russell, was ordered suddenly to send in his accounts preparatory to the issue of a new patent without his name.* We learn this from the letter of another correspondent of Pennington's, Captain Carterett, a man of

Revenge for Strafford.

Young Vane also dismissed.

of an amiable young Duke to an office in the Household as the noblest and wisest act of his glorious master.

* Admiral Pennington's desire (already adverted to) to Admiral have had this office for himself, seems to have been generally Penning-understood by his friends; and upon the fact of Young Vane's ton look-dismissal being first known, Capt. Dowse, ignorant of the ing for Admiral's intimation to the Under Secretary that he did not Young with the matter pressed for the present, went and asked the Vane's office from the Lord Admiral, the Earl of Northumberland, Office. His note (in the State Paper Office) proves that the gift of the office to Strafford's friend Pennyman was the King's personal act. "Noble Sir," he writes from York House on Captain Dec. the 30th, "Upon the first notice of Sir Henry Vane his Dowse to being discharged of the Treasurer's place of the Navy I Penning-did (as I have written to you before) repaire to my Lord to ton, 30th desire his Lo^d to remember your name to the King, if his Dec. Ma^y did put by Sir Henry Vane. My Lord told me then that S^r Henry Vane was not absolutely dismissed until his accounts were perfected for the whole yeare." A second time he waited on the Earl; but "My Lord told me then that the King had bestowed the place upon Sir William Pennyman, but if he could doe you any service in it, he would doe it. Soe wishing you a Merry Christmas I rest &c." So long previously as the 16th December Capt. Slingsby had written decisively to the Admiral "Sir Henry Vane the Younger is dismiss of his Treasurershippe of the Navy, and Sir William Pennyman in his place."

Captain
Carterett.

great worth and distinction, who held the office of Comptroller of the Navy, and was, says Clarendon, of great eminency and reputation in naval command.* Charles had also further resolved, to express more plainly the ill-advised challenge he was thus flinging down to the House of Commons, to bestow the office on Strafford's agent and follower, Sir William Pennyman. "This much I knowe," writes Captain Carterett on the 23rd December, to the Admiral of the fleet in the Downs,† "that the attorney hath a

Young
Vane suc-
ceeded by
a friend of
Strafford.

Captain
Carterett
to Pen-
nington,
23rd Dec.
1641.

"warrant for to prepaire a bill for the drawinge
"a patente for Sr William Russell alone, his
"joyned patente with Sr Hen. Vane being
"recalled in, w^{ch} the Parliament doth take
"something ill. For it seemes that Sr Hen^y
"Vane the Younger is much esteemed in the
"House of Commons: but I doe not heare
"the licke of his father, but rather that hee
"hath lost the good opinion of both sides." It might be so, but not in that hour of Court disfavor would Pym have it thought so by the Court. He welcomed into the popular ranks the old servant of the King by adding his name to the select committee for Irish

Pym wel-
comes Old
Vane into
the popu-
lar ranks.

* See *Hist.* iii. 115. Carterett's interest and reputation in the navy, according to the historian, was so great, and his diligence and dexterity in command so eminent, that the Parliament, in a crisis of much difficulty, notwithstanding his Royalist opinions, named him for their Vice-Admiral.

† MS. State Paper Office. Carterett to Pennington, 23rd Dec. 1641.

affairs; and on the same 23rd of December, when Carterett so wrote to his Admiral, Under-Secretary Sidney Bere, employed with Nicholas at Whitehall, was writing thus to the same correspondent: * "I can now give you this
"certainty, that a warrant hath passed for the
"outing young Sr Hen. Vane, and on the con-
"trary an order is made in the Lower House
"for to consider of some meanes and wayes
"whereby to preserve him in; so that it is
"likely there will bee greate debate and con-
"testation about this businesse." It became, in fact, a new cause of quarrel between the Commons and the King, and the conduct of Pym in regard to it seems to show that the startling overture so suddenly made to himself must already have been made and rejected.

The Com-
mons re-
sent
Young
Vane's dis-
missal.

Upon the probable motives, as well for that overture itself as for its rejection, though it has been seen that nothing can with certainty be stated, it will yet be not inappropriate to add such suggestion here towards an explanation of both, as will fairly arise out of a careful consideration of circumstances attending not only the attempt involved in the present instance, but the similar attempt which preceded it, to obtain for the King the service of some of the chiefs who led the opposition against him. But for this it will be necessary to go back to a period

Previous
offer to
Pym and
his friends:
July,
1641.

* MS. State Paper Office. Sidney Bere to Pennington, 23rd Dec. 1641.

of nearly four months before the opening of my narrative.

Former attempt to give office to leaders of the Commons:

Not a mere expedient for saving Strafford:

Renewed after Strafford's execution.

Hollis or Hampden named for Secretary of State, 15 July, 1641.

Secretary Nicholas

Clarendon leaves it to be inferred that the negotiation by which office was placed at the disposal of the Parliamentary leaders during the proceedings against Strafford, had for its sole object the hope of saving by such means the life of that great minister; and that when this failed, and Strafford's head had fallen, no attempt was made to renew the proposal. This however is not the fact. Within two months of the execution, Secretary Nicholas, in the same letter in which he communicates to Admiral Pennington the vote by which the Commons had sentenced Lord Digby's published speech on Strafford's attainder to be burnt, and had declared Lord Digby himself to be for the future unfit to hold place or receive employment under the King, adds this remarkable postscript: "The Lord Digby was by his Matie designed to have gone Lord Ambassador into Fraunce as soone as the Earl of Lecester should returne thence, but (it is thought) the Parliament will disabie him for any such employment. The speech is that Mr. Hollis or Mr. John Hampden shalbe Secretary of State, but the Lord Mandeville doth now againe put hard for that place."*

* State Paper Office. The letter is addressed "To my much esteemed friend Sir John Pennington, Knight, Ad-

From this it is clear (for no one had such sources of information as Nicholas) that, notwithstanding the execution of Strafford and Digby's disqualification for office, the King had still a purpose of his own in keeping open the negotiation for receiving into his counsels the men who had struck so heavily against his dead minister and his living friend. The letter of Nicholas is dated on the 15th of July, and until the close of that month, indeed as long as the King remained in London, the best informed of Charles's own officers of state continued to expect the change. In less than a fortnight Nicholas wrote again as if all doubts and disputes as to the particular distribution of offices had been settled. Lord Mandeville and Hampden had in the interval withdrawn their claims to the principal Secretaryship of State in favour of Denzil Hollis, while Hampden was to take the Chancellorship of the Duchy, Lord Saye and Seale to be Lord Treasurer, and the Chancellorship of the Exchequer to be, as in all the previous proposed arrangements, committed to Pym. Nor is it Nicholas alone who thus, up to the 29th July, believes that

Negotiations with popular leaders kept open.

Distribution of offices settled, 29th July, 1641.

"miral of His Maties Fleete employed for garde of the Narrow Seas, aborde His Maties ship the St. André, nowe riding in the Downes or thereabouts. Leave this with the Post of Sandwich to be conveyed." The existence of this letter was known to Lady Theresa Lewis. See her very interesting book in illustration of the portraits in the Clarendon Gallery, *Lives of the Friends and Contemporaries of Lord Chancellor Clarendon*, ii. 442.

to Pennington.

Preparation for the new ministry.

Making provision for the worst.

Sidney Bere to Admiral Pennington, 30th July, 1641.

Notice to quit Whitehall.

Proposed Viceroy during the King's absence.

Consolations of a retiring official.

these men are about to assume the great offices of state. Even the smaller clerks and secretaries serving under him are making preparations against the expected loss of their employments; and Mr. Sidney Bere writes to tell Admiral Pennington, on the very eve of the King's departure to Scotland, that he hopes he has made provision against the worst.*

* I subjoin some curious passages from this letter, which is also in the State Paper Office (MS. Sidney Bere to Admiral Pennington, 30th July, 1641, Whitehall). Bere's employment at this earlier time was in connection with the Foreign Office, to which he had been recommended by a previous engagement as Secretary with Sir Balthazar Gerbier. "I must needs," he writes to the Admiral, "take y^e occasion of this enclosed w^{ch} was left att my chamber, to tell you, that the noise of remove of officers increaseth still, and some thinke wee shall not escape wth less than the losse of Secretaries, w^{ch} I begin to feare much by many signes. One, & truly a noble one, is this, that Mr. Trea^r asked me this day how farre my graunt was advanced, I told him ready for the King's hand tomorrow; he bid me to hasten it all I could, for a reason he knew, w^{ch} you may easily guesse carryes noe good interpretation. I am glad Mr. Murray is engaged, who, should any such thinge happen soe suddenly, will wthout doubt make good what he hath undertaken, & I am confident both he and Mr. Trea^r will recommend me to y^e successor. But for all these doubts and surmises we prepare still for y^e Scotch journey, & horses goe before on Monday. Wee follow on Friday nexte, and y^e King on y^e 9th which is Munday. The Parliament its said will move for a longer stay, but the King is resolved. A whisper goes the Houses will stand for a Lo. Lieut. in his absence w^h power to passe bills: what that proposition will produce in his resolution to graunt or deny, goe or stay, we shall shortly see: but every one is full of expectations what every grand councill should produce in the change of officers. Come the worst, if this graunt passe, I have something to trust to ag^t I am old, and till then, I hope w^h God's blessing, the countenance of my friends, & my own industry, to passe well enogh. I have not soe ill spent this time, but I have puried up for a yeare's subsistence and more, in w^{ch} time many changes will happen. Thus I take all att the worst on the first alarm, but I hope

Yet so strange does it seem that purposes involving a complete change in the greatest employments of the State should have been entertained up to the very eve of the King's departure for Scotland, that they then should suddenly and silently have been dropped, and that the King's letters to Nicholas from Edinburgh should as suddenly be filled with covert threats against the men chosen so recently for the highest dignities he had it in his power to bestow, that credit may hardly be claimed for such a statement without production of the actual evidence. The second letter of Nicholas, also in the State Paper Office, begins with acknowledgment of a welcome present of four Guinea-birds, which the Admiral had sent for Mrs. Nicholas, "whereby you have made her a proude woman, and she desires me to present to you her affectionate thanks for that great raritie." He then describes the appointment of Lord Essex to be General of the Forces on this side Trent; speaks of Lord Pembroke as bearing the loss of his employment with much patience and discretion; and makes frank allusion to the eccle-

"there is noe cause, but that we shall rubb out yett this Summer at the least." It is very remarkable to observe from this letter that at no time do the popular leaders, even when their immediate induction into the great offices was looked upon as certain, appear to have taken the pressure of Parliament from off the King. The proposal of a Viceroy or Regent was singularly distasteful to him, and the dispute as to the proper time of his quitting London was vehemently maintained even to within a few hours of his departure. See my *Essays*, i. 13.

A sequel almost too strange for belief.

Present from the Admiral.

Nicholas to Pennington, 29 July, 1641.

Why
Nicholas
objects to
Ecclesiastical
Re-
form.

King's
proposed
journey
to Scot-
land:

Objected
to by the
Commons.

The new
ministry
expected:
Hampden,
Pym,
Hollis,
and Lord
Saye and
Seale.

fiastical reforms in progress, and the abuses they are levelled at. "The acte against Bish^{pps},
" Deanes, & Chappters, is not as yett past the
" Comons House of P^e, and I hope never will:
" for iff it shall, my father and myselfe shall
" by the change of our Landlordes lose 1500*l*.
" in the value of our estates. But I hope the
" Parl^t will not holde it wise to punish the
" Tenants for y^e Landlord's faulttes. The
" Comons are much troubled that the Kinge
" will goe on Monday come sennight (as hee
" has declared openlie) towards Scotland.
" They have had a conference with y^e Lords
" ab^t presenting to his Maj^{ty} some reasons ag^t
" his Maj^{ty}'s goinge untill the armie be dis-
" banded, w^{ch}, if there were money readie,
" woulde not bee this fortnight. It is heere
" said that wee shall shortly before the Kinge's
" departure have a greate change & addition
" of officers ab^t Co^{te}, as that the L^d Saye
" shall be made L^d Treas^r, the L^d Newburg
" Master of the Wardes, Mr. Jo. Hampden
" Ch^r of y^e Dutchy, Mr. Pym Cha^r of the
" Excheq^r, Mr. Denzill Hollis Principall Secr^y
" of State; and that y^e Earl of Bath and L^d
" Brooke shall be sworne of his Ma^{ty} most
" hon^{ble} Privy Counsell."* He adds some

* This letter (also in the State Paper Office, and dated 29th July, 1641) is addressed like the former, with this addition: "Leave this with the foote post of Sand^{wch} in
" Philpot Lane att y^e signe of y^e Sand^{wch} Armes to be
" conveyed."

particulars as to the army plot, the examinations as to which were then in process of being taken; and he closes by saying that he proposes himself, God willing, to retire on the next following Saturday to his house in the country, to live quietly there if he can; and that howsoever the world goes, the Admiral shall be sure always to find that he is still constantly and firmly his faithful and affectionate friend.

But of course Nicholas did *not* retire into the country, nor did the parliamentary leaders make their entrance into Whitehall. Not less mysterious in its origin and fate than the later attempt to obtain Pym's solitary service, it seems impossible to review the circumstances attending this earlier effort to place both him and his friends in power, without arriving at the only solution which either seems capable of receiving. Neither, it must have been suspected or discovered, was really or sincerely intended by the person who alone could give effect to it. Both were wrecked by the utter distrust and disbelief which the King in all his dealings had inspired. In making again the overture singly to Pym, there can be little question that Charles had the idea in his mind, as already hinted, that by some artifice or trick, some juggling and playing with the cards, Episcopacy, even in its last extremity of danger, was to be rescued still by bringing over the only popular leader not committed to

Nicholas
about to
retire:

But
does not
retire.

Why both
attempts
to conciliate
popular leaders
failed.

The rock
they split
against.

A warn-
ing for
Pym to
act upon:

The warn-
ing taken.

root and branch. But the fate of the earlier negotiation, which I have thus been able to retrace, opened also, as the later had been, at the very moment when Lord Digby had been singled out for royal favour, was doubtless the sufficient warning on which Pym wisely acted. We need not look for his motives further a-field. The calm refusal with which the proffered place was put aside, and the dignified silence preserved in relation to it, may thus alike receive their satisfactory solution.

§ VI. THE WESTMINSTER TUMULTS.

Publica-
tion of the
Grand
Remon-
strance.

A Fast
Day, 22nd
Dec. 1641:

ON the third day after the Grand Remonstrance, printed by order of the House, had begun to circulate among the people, the observance of a day of Fast and Humiliation had been appointed. The circumstance is referred to by the Under-Secretary, with whose letter, already quoted in the preceding section, as with a similar communication from Captain Carterett, there also went to the Admiral a copy of the published Remonstrance. "The Remonstrance is likewise come out," he writes, "which I now send herewith, and leave unto your reading to judge of it. This is all I can say more for the present save that yesterday the fast was observed through London and the Court, and is to-day in Westminster. Indeed, there needs some extraordinary devotion to divert the many troubles and distractions this State

"is threatened withal, wch if God doe not of his mercy turne awaye, it's much to be feared will very shortly fall upon us: Soe that I cannot wonder to reade yor compassionate sense thereof, but doe joyne wth you that it's a time wherein he that hath leaste to doe may thinke himself the happiest."* The King, as we have seen, had celebrated the fast at Court by signing on that day, the 22nd December, the warrant for appointment of the dissolute Lunsford to one of the places of greatest trust in his dominions. We have seen also the tumult it provoked in the House of Commons, and this had now reacted on the people out of doors. It was the time of Christmas holidays, when unusual numbers were in London, daily thronging the streets; and such and so alarming were the manifesta-
Discon-
tented
holiday
crowds.

tions of popular discontent, that within three days after the letters just quoted we find another of Pennington's correspondents, and a high civil functionary, writing to him in a strain that might well shake the nerves of the gallant seaman far more than those terrible gales then sweeping the coast during which his ships had well-nigh foundered in the Downs. "But though," writes Mr. Thomas Smith, a man highly esteemed and holding important office in the Admiralty, to his loving

* MS. State Paper Office. Sidney Bere to Pennington, 23rd Dec.

Sea and
land
storms.

A re-
ligious
war talked
of.

Lunf-
ford's
appoint-
ment can-
celled.

Too late.

Memo-
rable epi-
thets first
invented.

and much honored friend, "the stormes are
" escaped at sea, they are not so on shoare.
" For here we have such jealousies, and dis-
" contents are dayly raysted by the malignant
" party between the King and his people, that
" there talks now of nothing but drawing of
" swords and a war between the Protestants
" and Papists. W^{ch} God forbid! for though
" we may know the beginning, noe man can
" the end and consequences of an intestine
" warre." *

On the evening of the day when that letter
was written, the King found it absolutely neces-
sary (upon a representation personally made to
him the previous night at Whitehall by the
Lord Mayor, a member of his own party) to
cancel Lunfford's appointment; but swiftly
as the ill-advised act was so recalled, it was
yet recalled too late. It was too late to pre-
vent the tumults and disturbances of that and
the following day. In those tumults, duly
recorded, but not fairly or justly discriminated,
in the histories, were first heard the memorable
epithets of Roundhead and Cavalier: two words
destined to become as famous as those other
two of Whig and Tory, which, invented
seven-and-thirty years later, used also as terms
of reproach,† and bandied about from side to

* MS. State Paper Office. Thomas Smith to Pennington,
23rd Dec.

† That the word *Cavalier*, not necessarily a term of re-

side, like these, amid tumultuous assemblages
of English citizens,* became in like manner

proach (Shakespeare certainly does not so employ it when he Cavalier:
speaks of the gay and gallant English eager for French in- origin and
vasion— meaning
of the
word:

For who is he . . . that will not follow
These cull'd and choice-drawn Cavaliers to France?)

was unquestionably used in that sense on the occasion of these
tumults (probably to connect its French origin with the un-
English character of the defenders of the Queen and her
French papist adherents to whom it was chiefly applied),
appears from the fact that it is bandied about in declarations
alternately issued on the eve of the war by the Parliament and
the King, the latter speaking of it more than once as a word
much in disfavour. And, after the standard on either side was
unfurled, nay, when the battle of Edgehill had been fought,
Charles elaborately accuses his antagonists, "pretenders to peace
" and charity" he calls them, of a hateful attempt "to render
" all persons of honour, courage, and reputation, odious to
" the common people under the style of Cavaliers, inasmuch
" as the highways and villages have not been safe for gentle-
" men to pass through without violence or affront." Even
in the very earliest popular songs on the King's side the word
has not the place it afterwards assumed, and one meets with
Royalist poets of a comparatively sober vein

The King
complains
of its use.

"Who neither love for fashion nor for fear,
As far from Roundhead as from Cavalier."

D'Ewes's earliest uses of the word in his MS. Journal I find
under dates of Monday 10th January and Friday March
4th, 1641-2, and Friday 3rd June 1642. In the first he is
speaking of parties who had been seen suspiciously entering
the Tower; in the second, of the Cavaliers at Whitehall who
wounded the Citizens; and in the last, of the King's party
in Yorkshire. Of the word Roundhead, on the other hand, Round-
and the mixed fear and hatred it represented and pro- head.
voked, decidedly the most characteristic example is furnished
by the ever quaint and entertaining Bishop Hacket, who
(*Scrinia Referata*, ii. 207) tells a story of a certain worthy
and honest Vicar of Hampshire who always (in such manner
as to evade the notice of one section of his hearers while
he secretly pleased the other) changed one word in the
last verse of the Te Deum—O Lord in thee have I trusted,
let me never be a Round-head!

* See my *Hist. & Biog. Essays* ii. 6 (under Essay on
De Foe).

the indelible distinction of the two great parties in English history.* The first blood shed in the great civil war had flowed on that 27th of December, several citizens having been wounded and Sir Richard Wiseman slain.

William Lilly's evidence.

The King's secret revealed.

A belief or superstition.

Character of Puritans.

* There is a curious and characteristic passage by William Lilly (*Monarchy or no Monarchy in England*, part ii. ed. 1651), referring to these tumults, of which he was himself an eye-witness, and deserving more attention than it has received. He is speaking of the King: "Fearing the worst, as himself pretended (from the tumultuous assemblages of Citizens), he had a Court of Guard, before Whitehall, of the Train Bands; he had also many dissolute gentlemen, and some very civil, that kept within Whitehall with their swords by their sides, to be ready upon any sudden occasion. Verily men's fears now began to be great; and it was by many perceived, that the King began to swell with anger against the proceedings of Parliament, and to intend a war against them: some speeches dropt from him to that purpose. It happened one day, as some of the ruder sort of Citizens came by Whitehall, one busy Citizen must needs cry 'No Bishops.' Some of the gentlemen issued out of Whitehall, either to correct the sauciness of the fool in words, if they would serve; else, it seems, with blows. What passed on either side in words, none but themselves knew. The Citizen, being more tongue than soldier, was wounded, and I have heard, died of his wounds received at that time. It hath been affirmed by very many, that in, or hearunto, that place where this fellow was hurt and wounded, the late King's head was cut-off, the Scaffold standing just over that place. These people, or Citizens, who used thus to flock unto Westminster, were, most of them, men of mean, or a middle quality . . . and yet most of them were either such as had public spirits, or lived a more religious life than the vulgar, and were usually called Puritans, and had suffered under the tyranny of the Bishops. In the general they were very honest men and well meaning: some particular fools, or others, perhaps, now and then, got in amongst them, greatly to the disadvantage of the more sober. They were modest in their apparel, but not in their language; they had the hair of their heads very few of them longer than their ears; whereupon it came to pass that those who usually with their cries attended at Westminster, were by a nick name called Round-heads. The Courtiers again, having long hair and locks, and always swords, at last were called by these men

The Lords had at first declined to join the Commons in petitioning for Lunsford's removal, and it was the excitement consequent upon this refusal, first known by the published protest of twenty-two peers headed by names in such popular esteem as those of Bedford, Northumberland, Pembroke, and Essex, which led to the assemblages that met suddenly together, in large numbers certainly but unprovided with arms, in Westminster Hall and outside the door of the House of Lords.* It has been, notwithstanding an admission to the contrary

"Cavaliers; and so &c. &c. few of the vulgar knowing the sense of the word Cavalier. To speak freely and ingenuously, what I then observed of the City Tumults was this: First, the sufferings of the Citizens who were anything well devoted, had, during all this King's reign, been such and so great (being harrowed or abused, continually, either by the High Commission Court or the Star Chamber), that, as men in whose breasts the spirit of Liberty had some place, they were even glad to vent out their sighs and sufferings in this rather tumultuous than civil manner: being assured that if ever this parliament had been dissolved, they must have been racked, whipt, and stript by the . . . Clergy, and other extravagant courses: and for any amendment which they might expect from the King, they too well knew his temper; that though in a time of parliament he often promised to redress any grievances, yet the best friend he hath cannot produce any one act of good for his subjects done by him in the vacancy of a parliament. The losers usually have leave to speak, and so had the Citizens. All this Xmas 1641, there was nothing but private whisperings in Court, and secret counsels held by the Queen and her party, with whom the King sat in council very late many nights. What was the particular result of these clandestine consultations, it will presently appear." In these last few words he alludes of course to the impending attempt to arrest the members.

* "The tumults," says Nalson, the most unscrupulous of Royalist partizans, "began upon this little clash of the two Houses, the Lords refusing to join with the Commons to petition out Lunsford."—*Collections*, ii. 781.

Cause of sudden assemblages in Westminster Hall.

What Lilly observed of the tumults.

A Parliament the People's only hope.

Secret counsels.

Party
state-
ments.

to be quoted shortly even from Clarendon himself,* uniformly asserted by Royalist writers since, and with such confident pertinacity that less partial writers have been overborne by it, that these gatherings of the people were accompanied by violence, that the Citizens were the aggressors, and that swords were drawn at last on the other side only in self-defence. The point is an important one to place beyond further question, because here, and not in any dispute as to whom the powers of the militia should reside with, really began the Civil War. Elaborately to argue upon this or that claim of right, whether to the militia or to any other power of the State, in the position to which the incidents now under discussion were about swiftly to bring the opposing parties, is to be at infinite pains to throw words into the air. Both King and Parliament were soon to ascertain that peace was no longer possible; and it was but the prelude of fence to the sharper conflict, the understood pause for collection of strength on either side, when the war of words about the militia began. In the chapter of history I have here undertaken to rewrite lies the true settlement of the doubt as to who began the Civil War; and in these Westminster tumults, which were the prologue of the tragedy, it will not be difficult to show, on the unquestion-

Who were
the first
aggressors.

True be-
ginning of
the Civil
War:

* *Hij.* ii. 92.

able evidence now to be produced, not merely that the bloodshed was exclusively the act of the King's friends and dependants, and that the natural alarm it created was made the excuse for other and more deliberately planned violence against the people, but that all this was unavoidably a portion of that design against the Parliament for which the time had prematurely been supposed to be ripe, and which had for its first and immediate object the destruction of the leaders of the House of Commons.

in the at-
tempt to
destroy the
Parlia-
mentary
leaders.

§ VII. CITIZENS AND SOLDIERS IN THE HALL.

THE old year had now only five days to run, Monday, 27th Dec. 1641, and was fast departing amid incidents that only too fitly ushered in its dark and gloomy successor. On this eve of the first year of the Great Civil War, the physical and the moral atmosphere alike seemed charged with storm. So severe a season had not been known for many winters; * and while each day, and hour

Severity
of the
winter.

* It extended to Paris, from which city Windebank, writing to his son in London on the 10th Jan. 1641-2, speaks of the extraordinary storms that were prevalent, and of "the very Fierce" "fierce frost methinks much exceeding those in England." frost in I am tempted to add a further portion of the letter, which is Paris. every way characteristic of the weak and poor-spirited writer, to whom a leading share in the government of England had been unreservedly committed in the most difficult and dangerous crisis of her story. He is telling his son of his intense wish to return to England. "Wherein, methinks, I sh^d not "longer be impeded now that I am out of danger to

Tempest
at sea.

Mr. Thos.
Smith to
Penning-
ton, 30th
Dec.

At White-
hall Gate,
29th Dec.

Winde-
bank to
his son.

of the day, brought its grief or terror to un-
prejudiced watchers of events, it was in the
midst of a tempest that swept the English
coast with almost unparalleled violence that the
Admiral in the Downs continued to receive
the letters which happily have preserved for
us, in fair and unexaggerated language, an
impartial testimony of eye-witnesses to events
very memorable in our history.

"Concerning the state of our affaires here,"
wrote Mr. Thomas Smith, already named as a
friend of Sir John Pennington, and who held con-
fidential office under the Earl of Northumber-
land, with whom he had rooms at York House,
"they are not so well as I could wish, for wee
"are in dayly fears of uproares and disorder.
"The 'Prentices and our Souldiers have lately
"had some bickerings wherein many of the
"prentices were wounded, and lost their hats
"and cloakes. This was don yesterday at
"Whitehall Gate, as the 'prentices were coming
"from demanding an answer of their petition
"lately exhibited to the Parliamt house. The
"souldrs continue in greate numbers in White-

"retourne any more to businesse. This I desire you to sollicit
" & pursue with all earnestness if yo shall find it safe to stir in
"it, that I may see myne own dear country, & poor nest
"again, and som ende of my wanderings and greate suffer-
"ings, w^{ch} if the world did rightly consider, I am confident
"they wold be sensible of my condition, & the most rigorous
" & hard-hearted wold thinke I have been abundantly punished
"already for anything that I have donne. But God's will be
"donne, and whatsoever you shall negotiate herein must be
"with entire & all humble submission to His Ma^y."

"hall. These woundes of the 'prentices have
"foe exasperated them, that it is feared they
"will be at Whitehall this day to the number
"of ten thousand; whereupon the souldiers
"have increased their number, built up a
"Court of Guard wthout the Gate, and have
"called down the millitary company to their
"assistance: and what will be the event, God
"knows. Neither do the Houses and King
"agree so well as I could wishe. The Jesuiti-
"call Faction, according to their wonted
"custome, fomenting still jealousies between
"the King and his people, and the Bishops
"continually concurring with the Popish Lords
"against the passing any good bills sent from
"the House of Commons thither."*

Exaspera-
tion of the
people.

A Jesuiti-
cal Faction
strong in
the House.

Under Secretary Sidney Bere, also writing
on the same day (the 30th of December)
to his friend commanding in the narrow
seas, is more specific as to the causes of
the prevailing excitement: "Since the Hol-
"lidays began," he writes, "here have
"been such rude assemblies and multitudes
"of the baser sort of people, that everyday
"threatened a desperate confusion. Nor are
"we yet free of those feares. The first pre-
"tended cause of this was the making of
"Collonel Lunfford Lieut^t of the Tower.
"Which begat soe generall a murmure and

The Un-
der Secre-
tary to the
Admiral,
30th Dec.

Confusion
and feares.

* MS. State Paper Office. Smith to Admiral Pennington,
30 Dec. 1641. And, under same date, the letter which
follows: Bere to Pennington.

Lunfford
knighted
and pen-
sioned
upon his
removal.

Blood shed
27th Dec.

Courtiers
ordered to
be armed.

Share in
the
tumults

The pen-
sion and
knight-
hood to
Lunfford.

“ discontent that his Matie was pleased to
“ remove him after two or three dayes pos-
“ session and to putt Sir John Biron in his
“ place ; having made the other a knight and
“ as I am told given him 500lb. a year pen-
“ sion.* But the people, not being as it
“ seemes sufficiently perswaded of this remove,
“ on Monday [the 27th] continuing their
“ insolencies, and meeting this Lunfford at
“ Westminster, they fell to blowes, in wth dif-
“ order divers were lightly hurt, but without
“ further danger ; and one of their chiefe
“ leaders there was Sr Richard Wiseman, who
“ was alsoe hurt. In fine these distempers
“ have foe increased by such little skir-
“ mishes, that now the traynebands” [of
Middlesex] “ keepe watch everywhere : all the
“ courtiers commanded to weare swords : and
“ a Corps-de-Gard House built up within the
“ railes by Whitehall. All which fills every one
“ wth feares and apprehensions of greater evils.”

Such fears and apprehensions might well
exist, but from which quarter came the graver
threatenings of storm ? On one side were
citizens and apprentices, at first altogether un-
armed, irritating doubtless as all crowds are,

* This fact is now for the first time known. Of its correct-
ness there can hardly be a doubt, for no man was in so good a
position for obtaining reliable information as the Under
Secretary. The same fact is moreover confirmed and repeated
in a letter, also in the State Paper Office, dated the 29th Dec.
1641, from Capt. Carterett to Admiral Pennington.

but wreaking no mischief worse than a crumpled taken by
cloak or band, a torn gown, an impertinent Citizens
word, or an inconvenient hustling and pressure. and Ap-
prentices.

An eyewitness of the assault on the Archbishop
of York, referred to always as the incident
most provocative of what followed, has de-
scribed it for us. “ I was witness,” says Mr.
Bramston,* the son of the Chief Justice of
the Queen’s Bench, and at this time an inti-
mate associate of Mr. Hyde, “ to a lane
“ made in both the Palace Yards, and no man
“ could pass but whom the rabble gave leave

“ to, crying *A Good Lord!* or *A Good Man!* What Mr.
“ *Let him pass!* I did see the Bishop of Bramston
Dec. saw, 27th

“ Lincoln’s gown† torne as he passed from the
“ stair-head into the entry that leads to the
“ Lords’ House.” And as Mr. Bramston saw
we may still for ourselves see, vividly enough,
those troublesome citizen-quidnuncs, those
idle varlet-apprentices, and with the help of what
the Under Secretary tells us, can imagine the
reception they were likely to give to Lunfford,
insolent with favors so heaped upon him even
in that hour of his dismissal, as to afford but
a new and exasperating instance of a popular
concession haughtily unmade in the very act of
making it. But, such being on one side the

Provoca-
tion to
the people.

* In his *Autobiography*, published by the Camden Society,
p. 82.

† Williams, Bishop of Lincoln, had so recently become
Archbishop of York that Bramston calls him by his more
familiar title.

The soldier
affailants.

case, bad and vexatious enough, what presents itself to us on the other? A set of fierce foldier adventurers, not only men of completely desperate fortune, but all of them under the ban of the majority of the House of Commons, yet offered and accepted with their riotous and reckless followers as a Court of Guard to their sovereign, entertained and feasted at the very gate of his palace, and enlisted under a condition of service which even Clarendon thought "unseasonable," seeing that it began not in any needful defence of the King, but in a needless shedding of the blood of his subjects.

Volunteer
Guard to
the King:

It would not be easy to select a passage more characteristic of the historian than that in which he speaks of this Whitehall Guard, and of the disastrous service in which they were employed. He cannot deny that their entertainment by Charles was an act of gross indiscretion, and he is obliged to confess that they first drew their swords upon the people. But the form in which he gives utterance to such all-important admissions against the party for whom he holds his brief, is the most singular manifestation conceivable of the degree to which a partizan writer may permit himself to become unconscious of the plain effect and meaning of the language he employs. He begins by saying* that all the while the King had been at Whitehall, besides his ordinary

Clarendon's
opinion of
them.

* *Hist.* ii. 92, 94.

retinue, and menial servants, he had kept in close attendance upon him a considerable number of officers of the late disbanded army, who were soliciting their remainder of pay from the two Houses which was secured to them by Act of Parliament, and were expecting some farther employment in the war with Ireland; and that these not very scrupulous gentlemen, upon observation and view of what he calls the insolence of the tumults, and the danger that they might possibly bring to the Court, offered themselves for a Guard to his Majesty's person, and were with more formality and ceremony entertained by him, than, upon a just computation of all distempers, was by many conceived seasonable. And then he goes on to say that "from these officers,—
"warm with indignation at the insolences of
"that vile rabble which every day passed by
"the Court,—there proceeded, first, words of
"great contempt, and then, those words com-
"monly finding a return of equal scorn, blows
"were fastened upon some of the most prag-
"matical of the crew." In plain language, the provocation both of words and blows came first from the Whitehall desperadoes. Their advocate continues: "This was looked
"upon by the House of Commons like a
"levying of war by the King, and much
"pity expressed by them that the poor people
"should be so used who came to them with

Compo-
nent ele-
ments
of the
Guard:

The
King's
unseason-
able ac-
ceptance
of their
service:

Citizens
insulted
and af-
fected by
them.

Cuts and
flashes
drawing
blood.

"petitions"—to go to the House of Commons with petitions was in reality the tumult and insolence complained of—"for some few of them had received some cuts and flashes that had drawn blood; and that made a great argument for reinforcing their numbers. And from these contentions the two terms of Roundhead and Cavalier grew to be received in discourse, and were afterwards continued for the most succinct distinction of affections throughout the quarrel: they who were looked upon as servants to the King being thus called Cavaliers, and the others of the rabble contemned and despised under the name of Roundheads."

Plain
meanings
to Claren-
don's
speech.

To put all this into plain speech is to say that, at a time when above all others it behoved the King to be wary of unduly exciting jealousies and suspicions, he accepted from a band of reckless and desperate soldiers of fortune a proffered personal devotion which was to display itself in the most active hate of a particular section of his people. Nor was it dry acceptance only, but eager encouragement, that Charles extended to them. While these men so insulted the Citizens, upon whom they fastened blows, and upon whom they drew their swords, they were the guests of the King in his own palace, entertained and fed at his expense. And whether those of the assailed were few or many, who, in the nicely-

Eager en-
couragement
to
attack on
Citizens.

chosen phrase of Hyde, "received some cuts and flashes that had drawn blood," neither exaggerates nor diminishes the crime. The fact undeniably remains, as admitted by Clarendon, and (in a passage which will shortly be quoted) confirmed by Rushworth; and to it is to be added the further not less significant circumstance, that when that famous Declaration of both Houses was presented to the King at Newmarket in the early days of March, to which, as Lord Holland read it, Charles spared no epithet of anger or scorn (*that's false! that's a lye!* broke from him at its several averments), he heard in silence those portions of it which charged him with having enlisted in an unusual manner, and put into regular pay under the command of colonels, this Whitehall Guard; with having feasted and caroused them at the palace in a manner altogether unaccustomed; with having endeavoured to engage the gentlemen of the Inns of Court to co-operate with them; and with having for his manifest design in all this, "a perpetual guard" such as the laws did not warrant.* In his own formal answer, indeed, published on the 9th March, he substantially admits the allegations made. "Why the lifting," he says, "of so many officers, and entertaining them at Whitehall, should be misconstrued, we much marvel, when it is notoriously

Abettors
of the
outrage.

Design in
encouraging the
Whitehall
desperadoes:

To draw
together a
standing
Guard.

* Rushworth, III. vol. i. 529.

Admissions by the King: 9th March, 1642.

"known the tumults at Westminster were
"so great, and their demeanour so scandalous and seditious, that we had good cause
"to suppose our own person, and those of our
"wife and children, to be in apparent danger;
"and therefore we had great reason to appoint
"a Guard about us, and to accept the dutiful
"tender of the services of any of our loving
"subjects."*

Witnesses above suspicion.

Let me upon this subject add to the evidence already quoted, that of another witness equally above suspicion; whose discontent at this time with the House of Commons † would have ill disposed him to sympathy with any but its most bitter assailants; and who distinctly tells us, not merely that Lunsford and his friends, with drawn swords, charged upon the Citizens and "chased" them round the Hall, but that small parties of some fifteen or sixteen officers of the army had fallen upon crowds of unoffending civilians, and left forty or fifty of them wounded.

* *Rushworth*, III. vol. i. 536, 537.

† On the 25th Nov. 1641, Captain Slingsby had thus written (MS. State Paper Office): "On Saturday morning last I brought the *Happie Entrance* to the Spithead, where, having a pilot aboard, but the wind still Northerly that she was not like suddenly to gett into the harbour, I came away to London. She is presently to be made ready again to go for Ireland, Captain Owen in her: some of the Parliament as I hear having made some scruples concerning my fitness for that employment, in respect of my brother's neare relation to my Lord of Strafford: yett I find no alteration in my Lord's [Northumberland] countenance towards me, as he sayth it will not prejudice me for other employments."

Slingsby's ship at Spithead, 25th Nov.
His brother's connection with Strafford.

"I cannot say," writes Slingsby, already described as the brother of Strafford's Secretary,* "we have had a merry Christmas,"

A mad Christmas.

"but the maddest one that ever I saw. The
"prentices and baser sort of citizens, saylors,
"and water men, in greates numbers everie day
"at Westminster, armed with swords, † hal-

"berds, clubbs, w^{ch} hath made the King keep
"a stronge Guard about Whitehall, of the

Excuses for the Whitehall Guard.

"Trayned Bands without, and of gentlemen
"and officers of the army within. The King
"had upon Christmas Eve putt Coll. Lunsford

"in to be Lieutenant of the Tower, w^{ch} was
"so much resented by the Commons and by the
"Cittie, that the Sunday after he displaced

"him again, and putt in Sir John Biron, who
"is little better accepted than the other.
"Lunsford being on Monday last in the Hall,

Unpopularity of Sir John Biron.

"with about a dozen other gentlemen, he was
"affronted by some of the citizens whereof the
"hall was full; and so they drew their swords,

"chasing the citizens about the Hall, and so
"made their way through them w^{ch} were in
"ye Pallace Yard and in Kinges Street, till

"they came to Whitehall. The Archbishop
"of Yorke was beaten by the 'prentices the

Citizens chased about the Hall by armed soldiers.

* MS. State Paper Office. "R^t Slyngsbie to the hon^{ble} Sir John Pennington Knt. Admirall of his Maties Fleete for guard of the narrow seas:" 30th Dec. 1641.

† This is a mere careless assertion, as is proved by the passages immediately following it, which show that the Citizens could not have been armed.

"same day, as he was going into the Parlia-
 "ment. The next day they assaulted the
 "Abbey to pull down the organs and the altar"
 (there had been recent order for peculiar
 ceremonies and observances at the altar), "but
 "it was defended by the Archbishop of Yorke
 "his servants, with some other gentlemen that
 "came to them: divers of the citizens hurtt
 "but not killed: amongst them that were
 "hurt, one knight, Sir Richard Wiseman,
 "who is their cheife leader. Yesterday about
 "fifteen or sixteen officers of the army stand-
 "ing at the court gate, took a slight occasion
 "to fall upon them, and hurt about forty or
 "fifty of them: they in all their skirmishes
 "have avoided thrusting, because they would
 "not kill them. I never saw the Court so full
 "of gentlemen. Every one comes thither with
 "their swordes. This day 500 gentlemen of
 "the Innes of Court, came to offer their ser-
 "vices to the King. The officers of the army
 "since these tumults have watcht and kept a
 "Court of Guard in the Prefence Chamber, and
 "are entertained upon the King's charge. A
 "company of soldiers are put into the Abbey
 "for defence of it. The House of Commons
 "have drawn up a charge, and sent it up against
 "my Lord of Bristol: the same that he was
 "long since accused of and acquitted by the
 "first Parliament of the King."

Affray in
 the
 Abbey,
 Dec. 28th.

Unpro-
 voked
 outrage
 by the
 soldiers,
 29th Dec.

Gentle-
 men
 armed
 crowding
 the court.
 500 volun-
 teer Law-
 yers: 30th
 Dec.

Charge
 against
 Lord
 Bristol.

It has been seen, as described by an actual

eye-witness, what was the nature of the so-called
 "beating" of the Archbishop of York referred
 to in this letter; and it is hardly necessary to
 direct attention to the fact that all the real hurts
 described in the various accounts are exclusively
 those inflicted on, and in no single instance by,
 civilians. No mention occurs anywhere of a
 wound, however slight, inflicted by an apprentice
 or citizen. But we get some clue to the means
 used to irritate the mob into violence, by what
 was complained of in the House of Commons
 on the morning after the Archbishop's gown
 was so rudely handled in Westminster Hall.
 Going from the House to his lodging, an
 Honorable Member, "as he passed thro' the
 "churchyard, found there a guard of soldiers;
 "and inquiring of them by whose command
 "they were there, they answered by the Arch-
 "bishop of Yorke's:" whereupon, after sharp
 discussion, the House generally declared it to
 be a grave misdemeanor that guards should so
 be set about without due authority, to the terror
 and affright of the people.* Certainly a torn

No blood
 shed by
 the Citi-
 zens.

A fighting
 Arch-
 bishop.

* Nalson's *Collections* ii. 793. I add a remarkable passage
 from D'Ewes MS. Journal of little more than a fortnight's
 later date, which may help to show that the incidents now
 under notice, and the principal actors in them, had a close and
 ominous connection with the attempt so soon to be made by
 the king. "Mr. Miles Corbet made a relation touching one
 "Mr. Pemberton, who was examined when the Committee
 "sat in Guildhall, before Mr. Edward Wright an Alderman
 "of London, and was sent by him to one of the Counters:
 "that he had confessed that he was one of them that had
 "come hither with the king on Tuesday, Jan. 4, and that he
 "commanded 40 men at the Abbey of Westminster that

Entry
 from
 D'Ewes's
 Journal.

Incite-
ments to
violence.

gown hardly justified preparations so formidable, and the reader may perhaps see in the incident a sufficient explanation for what Captain Slingsby describes as occurring on "the next day."

In brief, each hour now brought its alarm, and signs and portents of approaching calamity were everywhere abroad. The close of Captain Slingsby's letter leaves us no room to doubt the definite and dangerous impression already produced upon himself. "The cittyzens," he says,

Shops
closed,
and all
men
arming.

"for the most part shutt up their shoppes, and
"all gentlemen provide themselves with armes
"as in time of open hostilities. Both factions
"talke very bigge, and itt is a wonder there is
"noe more blood yett spilt, seeing how earnest
"both sides are. There is no doubt but if
"the King doe not comply with the Comons
"in all thinges they desire, a sudden civill
"warr must ensue; w^{ch} everie day we see
"approaches sooner." Dangerous in its
growth such a belief as this could not fail to
be. It narrowed the grounds of agreement
left, shut out all hope in which ultimate safety
lay, and brought nearer the dreaded calamity
by making the mere thought of it more fami-
liar. If such men as Slingsby reasoned that
civil war was unavoidable, it was but natural
that the reckless men of his party should act

Danger-
ous beliefs.

"evening when Sir Richard Wiseman was hurt [to death]."
—*Harl. MSS.* 16, f. 331 a, 336 a.

as if civil war were come. It is at least certain that in such a state of feeling and apprehension, so widely spread, a terrible responsibility attended any act which should carry with it a sudden and violent increase of the prevailing excitements; nor, were its consequences ever so appalling, might its author with any justice claim exemption from the charge of having deliberately intended to produce them. A terrible
responsi-
bility.

§ VIII. WHAT WAS PASSING IN THE HOUSE.

RESORTING, for information of what was meanwhile passing in the House, to the manuscript Journal of D'Ewes,* we find the details of Captain Slingsby's letter in all respects confirmed. On the first day of the tumults, D'Ewes makes a brief and hurried note of what was passing in the House; and the abrupt, unfinished sentence, more strikingly than any elaborate detail, depicts the prevailing agitation. The sitting was only prolonged to receive evidence that "the quarrel in Westminster
"Hall began from some soldiers or gentlemen

First day
of the
Tumults,
27th Dec.

* Brit. Mus. *Harleian MSS.* 162-166. This most curious State of and valuable record, as I have stated in a former work, is D'Ewes's contained in five several volumes, to which correct reference Journal in is often extremely difficult; the same period occupying more the Har- than one volume, and it being frequently necessary to examine leian MSS. all the volumes in searching for the completed record of one particular debate. The state of the writing, too, with its blotted and often hopelessly involved interlineations, interposes frequent obstruction. My references have, however, been made with much care; and, where not minutely exact, will always be found within one or two folios of the precise place sought.

Second
day of the
Tumults,
28th Dec.

“ who first offered violence to the citizens,”* and that Colonel Lunsford was one of those whose swords had flashed in the faces of unarmed men. Next day, however, Tuesday the 28th December, the day following that on which Lunsford had so led the assault on the crowd in Westminster Hall, D'Ewes was again at his post, and found Cromwell speaking on Lord Newport's dismissal from the constablenesship of the Tower.

Lord
Newport's
dismissal
debated.

The honorable member for Cambridge seldom failed to give a practical bearing and purpose to any debate he engaged in, and now he was employing the Newport affair to bring the House back to consideration of the point, not whether such idle words as the King imputed had been spoken,† but whether treasonable advice had at any time been given, and by whom, for bringing up the army to overawe the deliberations of that House. Cromwell, as we have seen Captain Slingsby inform his Admiral, distinctly pointed to my Lord of Bristol, Lord Digby's father; and, reviving an old to couple with it a new charge, arraigned him not merely as having notoriously counselled the Sovereign in former years, for worldly and prudential reasons, to become Roman Catholic,‡ but as having, in regard to

Oliver
Cromwell
speaking:

* Harleian MSS. 162, f. 287 b.

† See ante, p. 38.

‡ When they were together in Spain, upon that mad freak of the Spanish Match which carried with it several very grave con-

the matter of bringing up the Northern force, distinctly advised his Majesty, in language confessed by himself, to “ put the army in a “ posture.” Fit, then, said Cromwell, that this House desire the Lords to join with us in moving his Majesty that such a person as this Earl of Bristol be removed from his councils. For what room was there to doubt that a more than ordinary meaning lay beneath the words so used? The due posture of the army at that time, added Cromwell, with the homely force and vigour that characterised all his speeches, was *the posture of lying still*, and that posture the said army was already in.* Denzil Hollis followed up this attack on Lord Bristol by some telling blows against his son, Lord Digby, who had declared only the previous day, in a speech which Hollis justly characterised as the most dangerous and pernicious that could be spoken by a subject, that this was not a free Parliament.†

De-
nounces
the Earl
of Bristol.

Denzil
Hollis
attacks
Lord
Digby.

And here let me interpose, that though the accused members always maintained that the King acted on other than a single person's advice in his great outrage against them, it is hardly necessary also to say that they needed nothing to assure them of Lord Digby's thorough complicity. It may be well to premise,

Lord
Digby's
complicity
with at-
tempts of
3rd and
4th Jan.

sequences. Perhaps the best account of it can be gathered from Howell's *Letters*.

* Harleian MSS. 162, f. 288 a.

† *Ib.* f. 291 a, b.

however, that in whatever is further to be said having a tendency to involve others, no acquittal of Lord Digby is intended. His share was open and avowed, at any rate after the event; and when on the 19th February 1641-2, the House (overruling a recommendation from the committee to whom the matter had been referred, and of which Sir John Evelyn was chairman, for a bill of attainder) resolved to impeach him, one of the resolutions on which they proceeded was "That hee was an adviser of the articles ag^t the five members, and of the King's coming to the House of Commons."* Other notices and indications of the suspicion in which both Digby and his father were justly held will hereafter appear also in many private letters.

No acquittal of Lord Digby intended.

Resolution on his impeachment.

Long silences in the House:

Tuesday 28th.

A considerable pause ensued in the House after Cromwell had spoken, and in the course of his entry in this day's Journal, D'Ewes has thrice to remark that there followed "a long silence." The shadow of events of which no man could forecast the course or see the end, had by this time fallen upon the most voluble debaters; and only the few resolute men who held together and led the majority, proof alike against the temptations of the Court and the impatience of the People, kept their courage and resolves unshaken.

The next day passed more quietly. For

* Verney's Notes, 157.

though a gross outrage was suddenly committed by a party of soldiers upon a number of citizens passing Whitehall after having carried up a petition to the House of Commons,* means had been taken by the popular leaders to prevent the recurrence of the crowds of the two previous days; and the only threatening appearances in the streets were from slowly increasing groups of dissolute armed men, silently gathering to the new Guard at Whitehall. Still the greatest fears and doubts prevailed, and while Cromwell was addressing the House upon the necessity of having the army, especially in Ireland, officered by men in whom the people's representatives had confidence, a man named Rowley was brought to the bar to give evidence of certain matters by which a worthy member had been not a little alarmed. "Deposed by Rowley," says D'Ewes, "that he heard a French papist say to another in Cheapside on Monday last that he understood there were hurly-burleys at Westminster, and that if there should fall out any hurly-burleys here, there should soon come fifteen thousand French out of France upon our backs."† The House took no action upon

Wednesday the 29th Dec.

Cromwell as to officering of the army.

Threats of French interference to put down English liberties

* Ante, 68 and 78.

† D'Ewes MS. Journal: Wednesday, 29 December, 1641. The Member for Cambridge complained loudly on this occasion that no place had yet been found among the Irish Military appointments for Captain Owen O'Connell.

Infolence
of a
French
priest.

Court
secrets
known to
the
French.

French in-
formation.

this, any more than upon a report subsequently brought in by Sir Arthur Haselrig to the effect that a French priest had said he hoped ere long to see half-a-dozen parliament men hanged. It is nevertheless not undeserving of remark, that it was mainly from French persons that every ascertained or distinct warning was obtained, before the event, of the outrage about to be committed. Madame de Motteville, and the people about the Queen, undoubtedly knew it; the French ambassador, Montreuil, took credit to himself afterwards for having secretly sent notice to the leaders of the House; it was from a French officer, on the day of the attempt, that the intelligence was obtained which certainly prevented bloodshed; it was, as we shall find stated by D'Ewes, from a "noble person who wishes well to this nation"* (in other words most probably Montreuil, whose credit, hitherto impugned, the remark may re-establish), that the French officer in question, Captain Langres, was enabled to do that service; and, the same authority will tell us, it was by a member of the King's new guard, a Frenchman named Fleury, that Captain Langres was informed, three weeks before the more special warning on which he acted, that great troubles were hatching.

From one of our own countrymen, indeed,

* *Harleian MSS.* 162 f. 310 b.

an Englishman still famous for his imagination and wit, a warning reached Lord Kimbolton the day before the arrest: when Marston the dramatist, then laid by the heels in the Gate-House, had written to him of a danger to himself and the Parliament which it concerned him at once to know; which admitted of no delay, inasmuch as no one could tell how soon it might be too late; and which, not more for his own than the Parliament's sake, he was on no account to flight, as thinking it of mean consequence.* But, of all the debtors' prisons,

Warning
from a pri-
soner in
the Gate-
House.

* I subjoin this letter, found by Mr. Cunningham among John other papers of the time at Kimbolton Castle, and first printed Marston to by Mr. Collier in his edition of Shakespeare (1858, i. 179). Lord It is undated, but that "this present Monday" was Monday Kimbol- the 3rd January 1641-2, is rendered in my judgment abso- ton: lutely certain by the circumstances. Whether, indeed, the writer was the poet Marston I was disposed to doubt until I was favored with a communication from Mr. Beedham of Kimbolton, to whom my best thanks are due. "To the "Right Honorable the Lord Kimbolton these. My Lord,— "Though my owne miseries press me hard to sollicite your "Honours Compassion, yet that you may be assured how much "I am vnſeduc't from my former temper, I shall now dis- "serue my ielſe (though my condicoñ be very calamitous) Has a dif- "to serue your Honour, and y^e Parliam', in a matter of no covery to "meane concernm': The errand I send this paper on to your make, im- "Lord^{sh} is to offer to your Honour a discovery of no meane portant to "consequence, w^{ch} I beseech your Honor not to slight before his Lord- "you know it; for when you do, I am sure you will not: ship and "to w^{ch} purpose I humbly beg that your Honor will send to Parlia- "som such trusty and rationall messenger to me, whose ment. "relaçoñ to your Honour may be heere vnknowne, and y^t "the same messenger may bring me som assurance y^t I shall "be concealed in y^e busines: My Lord, I hope you will not "delay, for I cannot tell how soone, it may be to late: For "y^e future I beseech your Honor to esteeme me a most fayth- "full seruant to your Honor and y^e Parliam', from w^{ch} nothing "shall euer disoblige Your most humble seruant, JOHN "MARSTON.—From the Gate-Howſe this present Monday."

Prison for
Jesuits
and re-
cufants.

the Gate-House was that to which all men under remand or examination from the Council-table, and eminently all Jesuit priests and recusants, were incessantly committed; and that Marston had derived his information from some one connected with the French fathers and confessors about the Queen, I entertain no doubt whatever. Other circumstances render it as little doubtful that the contemplated impeachment had been secretly talked about for some days, and that hints and cautions had been permitted to escape. It will shortly be seen what good grounds D'Ewes gives us for believing, that Pym himself knew at least enough of the intention to hazard the impeachment to put him warily on his guard as against a particular impending danger, at least four days before the attempt of which it has been the custom of all historians to write as having entered into the mind of the King only the moment before its execution.*

The
danger
known to
Pym.

§ IX. THE BISHOPS SENT TO THE TOWER.

Thursday
30th Dec.

THURSDAY, the 30th December, was now

Attack on
Parlia-
ment ex-
pected,
30th Nov.
1641.

* See also my *Hist. and Biog. Essays*, i. 135, note, for singular intimations, in the reasons presented to the Lords for the claim of the Houses to be guarded by the trainbands they had selected, that Pym knew the possible danger they had most cause to dread. He there speaks of the "surprising of the persons of divers members of the Scottish parliament," says that whisperings had gone abroad of "the like being intended" "ag^t divers persons of both Houses here;" and broadly states in his conclusion that there was "just cause to apprehend some wicked and mischievous practice still in hand to interrupt the peaceable proceedings of this parliament."

come, and hardly had the Lower House assembled, when an urgent message from the Lords, touching matters of dangerous consequence, called them to conference. The Bishops in a body had sent to the Lords, through the King, that ill-advised Protestation which was the fruitful source of so much subsequent mischief, stating that such had been the tumults in Westminster for the last three days, and so obstructed and menaced had they been in the attempt to take their seats,* that they did not

Message
from the
Lords.

Protesta-
tion of the
Bishops.

* I have already quoted the account of the assault on the Archbishop given by the son of the Chief Justice of the Queen's Bench, a great friend of Mr. Hyde's, who saw Williams's gown torn, and was witness to all that led to what Clarendon describes as the irrepressible rage, and the ill-advised protestation, of the too fiery Archbishop. Hyde himself also relates the incident (*Hist.* ii. 113), declaring in his exaggerated way that Williams's "robes" were "torn from his back;" with the addition, which his friend Bramston carefully avoids making, and for which there is no proof, that the Bishop's "person was assaulted." I must add the account of the same disturbances from another eye-witness, Williams's quaint and admiring biographer, Hacket (*Scrinia Referata*, ed. 1693, part ii. 177-179), who attended Williams at the time, and who, notwithstanding all his fanciful superfluity of phrase, rather confirms Bramston than Hyde: "There had been an unruly and obstreperous concourse of the people in the Earl of Strafford's case; but a sedition broke forth about Xmas that was ten times more mad . . . The King came to the House of Commons, to demand five of their members to justice, upon impeachment of treason. His Majesty, it seems, was too forward to threaten such persons with the sword of justice, when he wanted the buckler of safety . . . I am sure the King suffered extremely for their sakes: all sectaries and desperate varlets in city and suburbs flocked by thousands to the Parliament . . . Let the five members be as honest as they would make them, I am certain these were traitors that begirt the King's House where his person was, with hostility by land and water . . . every day making battery on all the Bishops as they came to Parliament, forcing their coaches back, tearing their gar-

What the
mob did to
Arch-
bishop
Williams.

Evidence
of Bram-
ston,
Hyde, and
Hacket.

They mean again to sit or vote until effectually retire from the House: secured by his Majesty from the repetition

Hacket's
Scrinia
Referata
described.

Useless
know-
ledge.

Written
during the
Protesto-
rate.

Attack on
Milton:

"ments, menacing if they came any more." (Given with all the intercalated quotations and illustrations of the original, the foregoing passage would have filled several pages). It is now many years since I called attention to Hacket's work, in the hope that it might find some learned society not indisposed to give a modern and accessible form to so genuine a Curiosity of Literature. It may be doubted if the language contains such another product of a busy, garrulous, fertile, fanciful, not very useful, but prodigiously stored memory and brain. Every folio page of it (and it contains nearly 600 of the closest print) bristles with Greek and Latin quotations, applied with a rich and ready resource that is fairly astonishing. It is nothing to say that Seneca could not be too heavy nor Plautus too light for him, for he has all the classics from Homer downwards at his fingers' ends; and it is really little short of appalling to observe to what a small practical use it is possible to turn such a vast amount of the kind of learning still prized in our schools and colleges as beyond every other in importance. Witty conceits and well-chosen poetry; admiring excerpts out of Chaucer, Spenser, and Ben Jonson; metaphors and figures out of all departments of knowledge; apophthegms of the study and the field; quips of the nursery; and the blackest-lettered lore of the Fathers of the Church; are heaped up in extravagant profusion. Too learned Hacket! When he wrote this book (he finished it in 1657, though it was not published till 1693), it behoved him to keep wary watch over his public sayings in his Rectory of Cheam; and his *Scrinia Referata* was the only escape he had for all that accumulated mass of useless knowledge. Cromwell was then our English Sovereign, "jetting" up and down, as Hacket phrases it, in all his glory, and nobody had courage enough to "strike him to the heart" and expire upon the murderer." Nay, there was one man who had what he terms the incredible effrontery to defend and champion the murderer, and, "petty school-boy scribbler" as he was, to engage in controversy with—"O what a miracle of judgment and learning!—Salmasius!" Yes, even with the "matchless Salmasius, with the prince of the learned men of his age," did "so base an adversary—O horrid!"—dare to measure himself, as that "blackmouth'd Zoilus" Milton! "Get thee behind me, Milton," exclaims Hacket, foaming over at the very mention of the name. He is "that serpent Milton:" he is "a Shimei," "a dead dog," "a canker-worm;" his spirit is "venomous" and his breath that of a "viper." This, to be sure, was while Europe rang from side to side with the *Letter to Salmasius*, and ten years before

of such affronts, indignities, and dangers: and Pro-
wherefore did they then and therein protest ^{test against}
against all laws, orders, votes, resolutions, and ^{proceed-}
determinations, as in themselves null and of ^{ings in}
no effect, "which in their absence, since the ^{their}
"27th of this instant month of December 1641,
"have already passed; as likewise against all
"such as shall hereafter pass during the time
"of their forced and violent absence." The
design of this daring act, and the object of
Archbishop Williams, its real author, have
been remarked upon by the present writer in a

the publication of *Paradise Lost*, which Hacket (who died Bishop of Lichfield and Coventry) survived three years; but it seems probable, by the allusion to petty schoolboy scribbling, A school-
that he at least knew of the *Minor* and *Juvenile Poems*, boy
though I think it more than probable, if he had read them, scribbler!
that even the controversy with Salmasius would hardly have
thrown him into such transports of unmitigated abuse. For
Hacket really appears to have had some judgment in poetry.
He knew nothing about Shakespeare, but neither did anybody Shake-
else, though the four greatest works of human genius, Hamlet, ^{peare}
Lear, Macbeth, and Othello, had all been written within ^{not}
the century, and Hacket had himself arrived at man's estate ^{known.}
before the *Tempest* was played, and the wand of the magi-
cian broken. Still, he carefully avoids the admiration, then so
common, of the second rate fantastical school; and he declares
Ben Jonson, whom he calls "our laureat poet," and "our Praise of
"master poet," to be "the best of our poets of this century." Jonson,
Chaucer with him is "noble Chaucer;" and little short of Chaucer,
the rapturous are his allusions to "our divine poet Mr. and Spen-
"Spenser," to "our arch poet Spenser," to "our most fer-
"laureat poet Spenser," to "Mr. Spenser's divine wit," and
to "Mr. Spenser's moral poem," on which he largely draws
for illustrations and comparisons. One rather grieves to think
that even if Mr. B. Simmons should happen to have sent
to the good old Bishop in 1667 the new epic poem he had
published, he is less likely to have read beyond the author's
name on the title page than to have thereupon instantly thrust
it aside with another "Get thee behind me, Milton!"

Effect of
Protest.

former work.* Its immediate effect was thoroughly to excite both Houses into at once disabling its abettors from such power of further mischief as, if the Protest had been admitted, or even passed in mere silence and contempt, they might thereafter have exerted fatally. Carry such a protest but into its next stage, and what was known to be the most cherished hope of the King, that he might be able one day to revoke, on the ground that Parliament had not been free, all the popular concessions of the past momentous year, was open to him at any time as not distant or impossible.

An opportunity
desired by
the King.

"Mobs"
for two
days only.

The
amount of
provoca-
tion given.

Whatever the view taken of the nature or extent of the tumults, no contemporary witness has ventured to state that they were such as to provoke an act like this. The gatherings in the Hall, and at the entrance to the House of Lords, were limited to the Monday and Tuesday, the 27th and 28th; and while the tumults of those days were at their height, we have evidence of what was suffered by the chief complainant himself, the author of the Protestation, from the only person who says expressly that what he sets down he saw. Archbishop Williams had his gown torn as he passed into the House. But beyond that insult, witnessed by Mr. Bramston, there is no

* *Hist. and Biog. Essays*, i. 262, 268: "The Civil Wars and Cromwell."

evidence of any kind on record of a special hurt or injury received by any of them. The utmost that is alleged by the only member of the Episcopal party who has himself described the occurrences, is that the rabble came by thousands to the House, filled the outer rooms, and abused them as they passed in, crying, *No Bishops! no Bishops!** On the other hand there seems to me sufficient testimony that pains had been taken, by members of their own House, to put the Bishops generally into that sort of needless fright which might induce them readily to fall in with such a Protestation. One of the most famous among them, the pious and learned Hall, Bishop of Norwich and author of the *Satires*, has informed us † that as they were all sitting together in the afternoon of the 28th, it grew to be torchlight, and Lord Hertford, who had lately received his marquissate and other special favors from the King, went up to the form on which they sat, told them they were in great danger, and advised them to take some course for their own safety. "What is it?" they cried. "What should we do?" Whereupon the Marquis (with difficulty holding his countenance, it may be imagined, while he did so) counselled them to continue in the Parliament House *all that night*. "Because

What the
Bishop of
Norwich
saw and
heard.

Fright
given in
the House
itself.

Some
Lords ad-
vising:

* Hall's *Works*, i. xlv.

† In his *Hard Measure: Works*, i. xlv. ed. Oxford, 1837.

Lord Hertford alarms the Bishops: " (faith he) these people vow they will watch " you at your going out, and will search " every coach for you with torches, so as you " cannot escape." At this some of them rose, and earnestly desired of their Lordships that for the present ("for all the danger," interposes the Bishop, "was at the rising of the " House") some care might be taken for their safety. Then proceeds Bishop Hall very innocently: "*The motion was received " by some Lords with a smile* : and some other " Lords, as the Earl of Manchester, undertook " the protection of the Archbishop of York " and his company (whose shelter I went " under) to their lodgings." At the same time the good Bishop frankly adds that those who cared to stay long enough, got safely home without help of any kind.

What passed at Williams's lodgings. In Williams's lodgings, doubtless, the Protestation was that night mooted; and thither next day, at the invitation of Williams,* repaired no less than ten other right reverend Lords. "Where," says Clarendon, "immediately having pen and ink ready," the paper was drawn up, signed by all present, and addressed to the King for presentation to the Lords; and away with it went Williams next morning to Whitehall. There, by an accident which Clarendon calls "unfortunate," not only the King, but his Lord Keeper, at the very

"Unfortunate" accident.

* Clarendon, *Hist.* ii. 113; Bishop Hall, *Works*, i. xlvi.

moment "happened" to be; and Charles no sooner received the Protest, than, "casting his " eye perfunctorily upon it," he gave it to Littleton, and, one hour later, the assembled Lords were with much amazement listening to it.* In this there may have been nothing but an "accident," as Clarendon alleges; although, from the first note of alarm given by Lord Hertford, it looks, all of it, extremely like a settled and planned design.

But the hands that aimed were less strong than those that received the blow, and the recoil was instant and fatal. In "half-an-hour"† from the time when the Commons were informed of the outrage proposed to be committed on the liberties of Parliament, the impeachment was sent up against its authors. Bishop Hall says that though they had signed the Protest, they intended still to have had some further consultation about it; when, before they had time even to suppose that it could have passed out of Williams's hands, they were all kneeling as accused traitors at the Bar of the Lords. Cromwell had been active in this prompt retribution; and long years afterwards, when addressing the last Parliament of his Protectorate, he exulted in the part he

Charles and his Lord-Keeper at Whitehall.

Accident or design?

A surprise for the Bishops.

What Cromwell thought of the Protestation.

* *Hist.* ii. 114. Hall's account slightly differs in stating that though they all heard the Protest read at Williams's lodgings, it was afterwards sent for their signatures to their own several places of abode.—*Works*, i. xlvi.

† *Hist.* ii. 118.

The
Bishops
charac-
terized by
Cromwell.

had so taken against men who would needs have it that no laws made in *their* absence should be good, and so, without injury to others, cut themselves off! Men, pursued Cromwell, in his rough grand way, that were truly of an Episcopal spirit; men indeed that knew not God; that knew not how to account upon the works of God, how to measure them out; but would trouble nations for an interest that was but mixed at the best, iron and clay like the feet of Nebuchadnezzar's image! *

General
feeling at
the time.

Nor in this did Protector Oliver go beyond what undoubtedly had been the feeling at the time. So generally adverse did opinion run against the ill-advised act, that even Clarendon cannot find it in his heart to spare any expression of contempt for the silliness and folly of so many Bishops, during a storm which had carried

Case
against the
Bishops.

Them-
selves to
thank for
their un-
popu-
larity.

Their
violence
and pas-
sion, 17th
June
1641.

A true
prediction.

* This is not the place for any detailed statement of the case against the Bishops, which was a very strong one; or of the causes, which were many and great, that had led to their extraordinary unpopularity at this time. Suffice it to say that they had themselves mainly to thank for it, and that the tumults of which they now complained were but what their own friends, arguing from the violence and passion displayed by them, had expected and predicted in the preceding summer. On the 17th June 1641, Sidney Bere had thus written to Pennington (MS. St. P. O.): "Fears & suspicions amongst us are soe great that I feare nothing lesse than that we shall yett fall into a confusion, w^{ch} God forbid. The business of the Bishoppes wilbe of dangerous consequence, they being violent and passionate in their owne defence, & having ingaged (as it were) the Lords by their late votes in their favor, to the maintenance of their cause, whereas the Commons seeme as resolute to passe the bill for their utter extirpation, and soe transmitt it to the Lords according to y^e custome, & then it may justly be feared the City will prove as turbulent as they were on Strafford's cause."

away card and compass, and sent the best pilot to his prayers, severing from the good ship and trusting themselves to such a cockboat as Williams!

But, quite as strongly as his dislike of the mischievous Protestation, the danger and scandal of which he cannot pretend to conceal, his objection to the punishment that so promptly followed it is put prominently forward; and he affects to think that posterity will hold it for incredible that Parliament should so have outraged public decency, as to affix to such an offence as a simple protest a penalty so outrageously disproportioned as that of treason. But as usual this is a gross misrepresentation of the facts, as well as of the sentiments of the time, even as they are yet discoverable among those least friendly to the two Houses; and the entire untrustworthiness of the author of such statements is never fully manifest, until we are able to place them side by side with contemporary notices of the same occurrences, set down with no other object than upon the instant to reflect and convey, without concealment of the passions or bias of each writer, the living opinions and emotions of the hour.

Claren-
don's
opinion

as to
Impeach-
ment.

Contem-
porary
accounts.

Captain Slingsby does not affect to be any great politician, but even as he hastily wrote to Pennington, in the afternoon of the very day of this memorable incident, he makes its gravity and danger very conspicuous through his few confused sentences describing it. "This

Slingsby
to Pen-
nington,
30th Dec.

His
opinion of
the Protest-
tation :

Even
Bishops'
friends
adverse
to it.

Under
Secretary
Bere to
Penning-
ton, 30th
Dec.

Committal
of the
Bishops.

" day," he writes, " the Bishoppes have made a
" Protestation against the proceedings of this
" Parliament, declaring it no free parliament.
" This makes a great stirre here. The favourers
" of them thinke it don to soone. The other
" side do seeme now to rejoyce that it is don,
" having thereby excluded themselves from
" it." * He means that the act was at once
seen to exclude its authors from ever
resuming their seats in Parliament, which, in-
deed, was all the Commons had in view in
bringing against them a charge of treason; and
that even those friends of the King who were
favourable to so bold an assault on the very
existence of the Parliament, felt that it had
been done prematurely. In the same spirit, on
the same day, writes Under Secretary Bere:
" This day there hath been great debatinge
" in y^e houses, and is still, but I cannot stay
" soe long to heare the issue, leaste I loose the
" comodity of this ordinary. Only thus much
" is even now brought for newes—that the
" Bishoppes having protested against all the
" Acts made this Parliament against them,
" twelve of them are now committed, and
" two others sent for whereof York is one.
" But the particulars hereof I will not asseure,
" being but even now brought unto me; but
" something there is w^{ch} by my next you shall

* MS. State Paper Office. Slingby to Pennington, 30th Dec.

" have more particularly: onlie thus much to " Our de-
" lett you see into what a deplorable condition plorable
" we are falling. I pray God blesse his Ma^{tie} condi-
" in his royall person and counccills, that wee tion."
" may once see a peaceable and quiett time
" againe. I wish you, Sr, a happy new yeare,
" and I pray God the great tempests have left Prays that
" you in health and fastie." * To which may the great
be added the still stronger testimony of a third tempests
correspondent, equally anxious to keep the have left
Admiral, amid those tempests at sea, quickly the Ad-
and surely informed of the worse storm raging on miral safe.
the land. " The last plott of the Bishoppes," Mr.
writes Mr. Thomas Smith to " his very Thomas
" lovinge friend," on the afternoon of the day Smith to
when the Protest was made, " hath beene their Penning-
" indeavour to make this Parliam^t no parlia- ton,
" ment, and so to overthrowe all actes past, and 30th Dec.
" to cause a dissolution of it for the present: w^{ch} Endeav-
" hath been so strongly followed by y^e Popish our of
" party, that it was faine to be putt to the Bishops to
" vote, and the protesting lords carryed itt to undo what
" bee a free and perfect Parliam^t as ever any the Long
" was before. This did soe gawle the Bishoppes Parlia-
" that they made their Protestacon ag^t the ment had
done, and
compel a
dissolu-
tion.

* MS. State Paper Office. Sidney Bere to Admiral Great
Pennington, 30th Dec. 1641. An illustration occurs in the storms
same letter of the violence of the storms then raging on the
coast. " The Post of Sandwich tells me that y^e last weeke
" when he came away, your boats could not come ashore."
" We heare," writes Slingby, in a letter of an earlier date,
" of the disaster lately hapened to the Roebucke: and have
" been very sensible of the extreame tempestuous weather you
" have had so long together."

Williams
compared
to Achitophel.

Compli-
city of
Lords
Bristol and
Digby.

Real drift
of the
Protest.

Prompt
action of
the Lords.

“freedom of y^e vote and y^e Parliam^t, and in
“their Protestacon have inserted such speeches
“as have brought y^m wthin y^e compasse of
“treason, and thus the Counsell of Acittaphill
“is turn’d into foolishnesse. The Earl of
“Bristoll and his sonne have been cheife
“concurrents with them, in this and other
“evill counsell, for which they have been
“impeacht and branded in y^e House of
“Commons.” *

The writer of that letter, as already stated,
was high in the employment and confidence of
Lord Northumberland, and his account, hasty
and confused as it is, expresses more accurately
than any other not only the real drift of the
Protest to effect for the King an “overthrow
“of all acts past,” and render unavoidable a
dissolution, but the prompt proceeding by
which, under the lead of the Earl, a majority
in the House of Lords at once met and baffled
the intrigue of Archbishop Williams. For
once, indeed, as soon as the first division had
been taken, the Lords acted quite as eagerly
as the Commons, and quite as eagerly and
promptly as the King in sending up the Pro-
testation. Within half an hour after it was
presented, it was voted a breach of the fun-

* MS. State Paper Office. Mr. Thomas Smith, from York
House (the Admiralty), to “His very loving Friend Sir John
“Pennington, knt. Admiral of His Ma^{ties} Fleete at Sea on
“Board His Ma^{ties} Ship the Lyon at the Downes.” 30
Dec. 1641.

damental privileges and being of Parliaments; A con-
ference.
upon the instant, after conference between
the Houses,* Glyn was sent up from the
Commons to impeach the Bishops for an en-
deavour to subvert the very existence of Parlia-
ments, and therein the fundamental laws of
the realm; and by eight o’clock that winter
night, ten out of the twelve were committed
to the Tower,† and the other two, by reason
of their great age (“and indeed of the worthy
“parts of one of them, the learned Bilhop of

30th Dec.
8 o’clock
p.m. ten
Bishops
sent to the
Tower.

* See *Commons Journals*, ii. 362, 363.

† “In all the extremity of frost,” says Bishop Hall (*Works*,
i. xlv.), “at eight o’clock in the dark evening, we were voted to
“the Tower.” And listen to the good indignant Hacket. (*Serinia*
Referata, ii. 179): “Hear and admire, ye Ages to come, what
“became of this Protestation, drawn up by as many Bishops as
“have often made a whole provincial council. They were all
“called by the temporal Lords to the bar, and from the bar
“sent away to the Tower. Nonne fuit satius tristes formidinis
“iras, Atque superba pati fastidia? A rude world when it
“was safer to do a wrong than to complain of it. The people
“commit the trespass, and the sufferers are punish’d for their
“fault. ‘Αν μάγειρος ἀμαρτάνοι, ἀλλήτης παρ’ ἡμῶν τύπτεται.
“*Athen.* lib. 9. A proverb agreeing to the drunken feasts of
“the Greeks: If the cook dress the meat ill, the minstrels
“are beaten. That day it broke forth, that the largest part
“of the Lords were fermentated with an anti-episcopal
“sourness. If they had loved that order, they would never
“have doomed them to a prison, and late at night, in bitter
“frost and snow, upon no other charge, but that they
“presented their mind in a most humble paper to go abroad
“in safety. Ubi amor condimentum inerit quidvis placitum
“spero, *Plaut. in Casin.* Love hath a most gentle hand,
“when it comes to touch where it loves. Here was no sign
“of any filial respect to their spiritual fathers. Nothing was
“offer’d to the peers, but the substance was reason, the style
“lowly, the practice ancient; yet upon their pleasure, without
“debate of the cause, the Bishops are pack’d away the same
“night to keep their Christmas in durance and sorrow: And
“when this was blown abroad, O how the Trunk-men of
“the Uproar did flee, and make merry with it!”

Hacket's
Lament
for the
Bishops.

No love
of Bishops
among
the Lords.

"Durham,") to the custody of the Black Rod.*

Laud and Williams within the same walls at last.

The door shut on persecuted and persecutor.

Caricature of Williams as a Decoy Duck:

And so that bitter night of frost and snow, the 30th December 1641, saw the two Archbishops, York and Canterbury, whose unseemly personal conflicts had been the scandal of the town for years, lodged at last together within the same prison walls. Heretofore it had seemed impossible but that the downfall of the one must involve the well-doing of the other. During Laud's long ascendancy, and under his incessant persecution, Williams had been an inmate successively of the Gatehouse, the Fleet, and the Tower; nor could the doors of the grim state fortress be said to have fairly opened for him until they had closed upon Laud himself. But now, after brief exulting triumph over his ancient adversary, those gates are open for him again; and into them re-enter the Bishop of Lincoln, elevated meanwhile into Archbishop of York, leading with him nine other Right Reverend prisoners. Who could wonder that the wits made merry at it? They devised a picture, says Dr. Peter Heylin, in which my Lord of York was resembled to the Decoy Duck (alluding to the

* And see *Harleian MSS.* 163, ff. 410a—414b. At a subsequent part of the proceedings in the Impeachment, according to D'Ewes, "Mr. H. Bellasis moved that the Bishops of Lichfield and Durham were at the door. Debate if they should come within the bar, and sit on chairs or stools by reason of their great age: but resolved that they come in singly and speak at the bar."

Decoys in Lincolnshire where he had been A witty conceit :
 bishop), restored to liberty on design that he might bring more company with him at his coming back : the device representing the conceit, and that not unhappily. "Certain I am," adds the ingenious biographer of the rival prelate, "that *our* Archbishop, in the midst " of those sorrows, seemed much pleased with " the fancy, whether out of his great love to " wit, or some other self-satisfaction which he " found therein, is beyond my knowledge."*
 Poor old Laud! One need not grudge him that ray of mirth which was probably the last that glimmered feebly upon him between Perhaps his last gleam of mirth.
 Strafford's scaffold and his own.

It may well be supposed that D'Ewes, ardent puritan as he was, underwent no great anguish

* Nor is this the only caricature of Williams which Heylin The two with infinite uncton describes. Relating (*Life of Laud*, p. Arch-461) the committal of the Bishops to the Tower, he proceeds: "*Our* Archbishop had now more neighbours than he exchange desired, but not more company than before, it being civilities prudently ordered amongst themselves, that none of them in the " should bestow any visits on him, for fear of giving some Tower. " advantage to their common enemy; as if they had been " hatching some conspiracy against the publick. But they " refrained not on either side from sending messages of love " and consolation unto one another; those mutual civilities " being almost every day performed betwixt the two Arch- " bishops also, though very much differing both in their " counsels and affections in the times foregoing. The Arch- " bishop of York was now so much declined in favour, that Carica- " he stood in as bad termes with the common people as the ture of " other did; and his picture was cut in brass, attired in his Wil- " episcopal robes, with his square cap upon his head, and liams as " bandileers about his neck, shouldering a musket upon one of Church " his shoulders in one hand, and a rest in the other." Militant.

D'Ewes
sees the
Bishops'
Bench
turned
into
lumber.

of mind at the stroke which had fallen on the Bishops. Looking in at the Upper House shortly after to hear a sentence pronounced, he saw without any kind of emotion that the episcopal bench had been turned into lumber. "There was but a thin House of Lords, and "on the right side thereof a great emptiness; "the two forms on which the Bishops used to "sit being thrust up close against the wall."* On a subsequent occasion, however, he gives a reason which sounds rather oddly to us now for regarding with equanimity the continued incarceration of the prelates. "The "Speaker," he says (in his Journal of the 21st March, 1641-2), "delivered in a petition "from the 12 Bishops. I said I was glad "to see they had omitted their style of Lord Bishop; for I heard from some that saw "some of them in the Tower but last Saturday "calling to one another by the title of Lordship, whereas by the fundamental laws and "ancient constitution of the kingdom, their "style is, 'Your Paternity' or 'Fatherhood.' "As for enlarging them, I will say nothing, "because I think they follow their function "of preaching better than they did before "they came in, and are likewise lodged in a "good air: but for Durham and Lichfield, "I desire they may be enlarged for their "humble submission. They are lodged in a

Is glad
they no
longer call
themselves
"Lord-
ships:"

and
would
keep them
where they
are.

* *Journal; Harl. MSS. 163, f. 459a.*

"close air, namely, in the house of Mr. "Maxwell, usher of the black rod, near "Charing Cross."* D'Ewes can hardly have meant that the air was close at Charing Cross, but rather, we may presume, that Mr. Maxwell's house afforded, for the close keeping of a prisoner of state, less roomy and airy as well as much more costly accommodation, than might be found in the buildings of the Tower.†

"Close
air" at
Charing
Cross.

§ X. SHADOWS OF THE COMING EVENT.

OTHER incidents, more exciting even than the impeachment of the whole episcopal bench, were meanwhile helping to make more memorable this last day but one of a most eventful year, and D'Ewes enables us for the first time to retrace them. "The Conference," he says, "being ended, we returned to the House, most "men expressing a great deal of alacrity of "spirit for this indiscreet and unadvised act of

House of
Commons,
Dec. 30th,
1641.

Members
delighted
by the
folly of

* *Harleian MSS. 163, f. 433 a.*

† Bishop Hall confirms this view, telling us how much subsequent reason he had to congratulate himself that the courtesy of the Black Rod, which at first he had much desired, had not been extended to himself. "Only two of our number "had the favour of the Black Rod, by reason of their age; "which, though desired by a noble Lord on my behalf" (Hall was in his 68th year) "would not be yielded. Wherein "I acknowledge and bless the gracious providence of my "God: for had I been gratified, I had been undone both in "body and purse; the rooms being strait, and the expenses "beyond the reach of my estate." *Works, i. xlv.*

Disadvan-
tages of
the Black
Rod.

the
Bishops.

Members
alarmed
by a sug-
gestion of
Pym's.

Objection
made by
D'Ewes.

A strange
motion
expected:

"the Bishops."* It was such alacrity of spirit as lighted up the gloomy features of St. John when he felt that all must be worse before it could be better. But it was quickly dispelled in the present case by the unusual gravity and seriousness with which Pym, after report made of the Conference, moved unexpectedly that the door of the House might be shut, and that none might go out. Others, carrying further the fears of their grave leader, would have had it ordered also that the outward room might be cleared, and that none might go into the Committee Chamber. But at this Sir Simonds arose. "Thinking it," he says, "too great a restraint, upon any reason" "whatever, I moved that I did very well allow" "that the door should be shut, but to restrain" "our going into the Committee Chamber" "there was no need, seeing we intended to" "clear the outward room, where there would" "be none left but the officers and ministers of" "the House, whom I conceived we might" "trust to." D'Ewes's suggestion was admitted to be reasonable, and was adopted; but the Speaker made a point at the same time of desiring that nobody who went into the said Committee Chamber should speak to anybody out at the window, or throw out unto them any paper writing. "I expected," D'Ewes adds, "some strange motion upon this secret

* *Harleian MSS.* 162, f. 294 b.

"secluding and close restraining of ourselves; which follows accordingly."*

What Pym proceeded to say had something in it beyond that mere general sense of danger, which, from his knowledge of the King's character, he must have known to be incident to his own refusal of the offer that had been so recently made to him. His remarks, as briefly reported by D'Ewes, can hardly fail to be regarded as evidence of some knowledge, on his part, of the attempt so soon to be made. He is mistaken as to time, the danger being less immediate; he understates it as to persons, the peril stretching to the House generally through individuals first to be assailed; but in desiring to obtain from the majority a prompt and decisive action upon their claim to a sufficient Guard or Protection to be chosen by themselves, which was still in dispute with the King, he had, while necessarily perhaps leaving unrevealed the entire extent of the danger known to him, with great sagacity at once addressed himself to the remedy that alone could fully meet the danger, whatever it might be. His object was to induce the House to invite a Guard of Citizens to their protection without another day's delay; but he spoke evidently under some restraint, and the reception given to what he said would seem to indicate that he had taken but few into his confidence as to

Pym's
speech.

The reme-
dy for
danger.

Necessity
for an im-
mediate
Guard.

* *Harl. MSS.* 162, f. 295 a.

The whole truth not told.

Report of Pym's Speech by D'Ewes.

A design to be executed:

A plot for destroying the House of Commons.

Adjournment to Guildhall proposed.

the particulars which rendered him so urgent. Altogether, indeed, it is evident enough that, through the interval which had yet to pass before the King's attempt was made, Pym was driven to concealments and half-confidences which circumstances rendered unavoidable; and there is little reason to doubt that from those who had secretly opened with him the negotiations for that acceptance of office which would have been his ruin, he had derived, under the same seal of secrecy, knowledge which proved directly instrumental to his safety and that of his friends.

The precise words of D'Ewes are these: "Mr. Pym moved that there being a design "to be executed this day upon the House of Commons, we might send instantly to the city "of London. That there was a plot for the "destroying of the House of Commons this "day. That we should therefore desire them "to come down with the Train Bands for our "assistance." At which D'Ewes confesses he was very much troubled, because he feared that the remedy proposed would be as dangerous as the pretended design. "Some few," he adds, "seconded Mr. Pym's motion, but more opposed it; and some wished that we might "adjourn ourselves to Guildhall." D'Ewes spoke on that question, remarking, in opposition to Pym, that if all the grounds of suspicion were that some officers of the late

army had been carousing at Whitehall the previous day, or that the King had drawn together a Guard, he did not think these sufficient to D'Ewes justify departure to the city. He added a suggestion oddly characteristic of himself, that if D'Ewes opposes departure to City. Mr. Pym had more certain grounds for the causes of fear alleged, he knew of no such present preventive than that "we should "adjourn ourselves till three of the clock, "that so we may not be taken altogether." * "Let us As for the proceeding into the city, he quoted not be taken together." a saying of the Recorder, that the citizens are not all the sons of one mother, nor of one mind; and it was not well that the House should place absolute faith even in London citizens. The words which closed his speech are all of it that he has further left on record. He wished to learn what the design was to The design near or distant? which Mr. Pym had alluded, and whether it were near or distant.

Pym made no reply to this appeal, and the result of the day's debate is not known. But it is probable, from what occurred next day, that the middle course was adopted of a renewed appeal to the King.

On Friday the 31st December, Denzil Hollis Friday, 31st Dec. 1641. delivered verbally to Charles the First, in the name of the Commons of England, their earnest desire for a Guard out of the City Demand under command of the Earl of Essex. The for Guard

* *Harleian MSS.* 162, f 295 b.

under
Lord
Effex:

No reply.

Halberts
mean-
while
provided.

Com-
mittee to
receive
reply.

King, whose object now was to gain time however brief, declined to receive this verbal message, and required it in writing. It was immediately drawn up and presented the same day; and we learn that the Commons, receiving no immediate answer, committed it to three of their members, Pye, Glynn, and Wheeler, justices of peace for Westminster, to set, in convenient places for the safeguard of the House, good watches sufficiently armed. They further ordered that Halberts should be provided, and brought into the House, for their own better security; which was done accordingly to the number of twenty, "and the said Halberts stood in the House for a considerable time afterwards." Reluctantly was consent then given* to adjournment over even the old recognised holiday of New Year's Day, and not without the naming of a Committee to receive the King's answer if it should meanwhile be vouchsafed.

That answer, however, the King had resolved to accompany by another document that should be the most characteristic comment it was capable of receiving, and both were withheld until the morning of the following Monday. For the intervening Saturday he had other engagements.† On that day, the

Saturday
1st Jan.
1641—2.

* After a remarkable speech by Pym at conference with the Lords: see *Parl. Hist.* Ed. 1762, x. 151-5.

† The Council Register supplies important dates. On the 1st January 1641-2, the subjoined entry appears.

first of the ill-omened year when his standard was finally unfurled against the most earnest and conscientious of his subjects, he sat with his ministers in Whitehall; and, the great Leader of the Long Parliament having refused his proffered bribe, those two members of the Long Parliament who at its opening had with the greatest vehemence denounced the crimes of his misgovernment took places at the Board. Lord Falkland was sworn of his Majesty's most honorable Privy Council, and seven days later received the seals of a Secretary of State; and Sir John Culpeper having been also duly sworn, order was given for preparation of his patent as Chancellor of the Exchequer. It was made out "for life:" the King vainly hoping by such unconstitutional expedients to bar the power of the Commons to effect a removal of his Councillors. Whether or not Culpeper and Falkland had cognizance of the first official act that was to follow their

A Coun-
cil at
White-
hall.

Falkland
and Cul-
peper
sworn into
their
offices.

Conse-
quences
and
responsi-
bilities

"This day Lucius Viscount Falkland was sworne of his new Ma^{ty} Most Hon^{ble} Privy Counsell, by his Ma^{ty} Command appoint-
"sitting in Counsell, tooke his place and signed with the ments,
"other Lords."

A similar entry of the same date has relation to Culpeper, Culpeper and order is given for his admission "into the place of his Chancel-
"Ma^{ty} Under Treasurer and Chancellor of his Excheq^r:" lor of Ex-
but the patent securing him the office for life (he held it for chequer.
little more than a year, it being then given to Hyde) is not
dated until the 6th of January. Two days later we have the
following entry:

"This day, his Ma^{ty} present in Counsell, and by his Royall Falkland
"Command, the Lord Vis^{ct} Falkland was sworne one of his Secretary
"Ma^{ty} Principall Secretaries of State." of State.

incident
to Office
at such a
time.

acceptance of office, it cannot be doubted that they accepted it at too critical a time, and amid public excitements and dissensions of too high and dangerous a nature, not to imply also a deliberate and settled acceptance of all the consequences it might carry with it.

§ XI. THE IMPEACHMENT BEFORE THE LORDS.

Monday
3rd Jan.
1641-2.

King's
message to
Commons
refusing
Guard.

THE day had at length arrived when the danger so long believed to be impending was to take definite shape. Early in the morning of Monday the 3rd of January, while the Lower House were moodily listening to the King's message refusing them the military Guard they had asked for under Essex's command, but promising, with what must have sounded as contemptuous irony, to be himself their protector, Mr. Attorney-General Herbert, who was no longer a member of the Commons but had taken his seat with the Lords under his writ of summons as Assistant, was delivering at the clerk's table of the Upper House the substance of another Royal Message, accusing of high treason five members of the Commons and one of the Lords. Every circumstance of mere form was observed in the accusation; and Mr. Attorney had not left his seat on the Judges' woolpack until Lord-Keeper Littleton, as the mouthpiece of the King, had duly referred to

Attorney-
General
delivers
impeach-
ment to
the Lords.

Intro-
duced by
Lord-
Keeper
Littleton.

the public business which his officer was there to discharge. It is not unimportant to observe this, seeing that both these dignitaries of State fought afterwards to put off from themselves upon the Sovereign the responsibility which the act had made their own.

The articles of treason were seven in number, and were read from a paper which Sir Edward Herbert afterwards, in defending himself, said that he had received directly from the King. Whether the formal and strictly legal wording and expression of the articles had been received also directly from the King, he omitted to say. The first article charged the accused generally with the attempt to subvert the Government and fundamental laws, and to place in subjects an arbitrary and tyrannical power. The second, aimed against their authorship of the Remonstrance, attributed to them the traitorous endeavour, by many foul aspersions upon his Majesty and his Government, to alienate the affections of the people, and to make his Majesty odious to them. The third charged them with having endeavoured to draw the King's late army to side with them in their traitorous designs. The fourth, directed against alleged communications with the Scottish Rebels, imputed to them the traitorous invitation and encouragement to a foreign power to invade his Majesty's kingdom of England. The fifth, adopting

The Seven
Articles of
Treason.

i.
General
charge.

ii.
Author-
ship of
Remon-
strance.

iii.
Tamper-
ing with
the army.

iv.
Invita-
tions
to the
Scotch.

v.
Punish-
ment of
Protest-
ing Mi-
nority.

vi.
Raising
tumults.

vii.
Levying
war.

the language of the Minority of the Commons when the demand to record a protest against the passing of the Remonstrance was refused, accused them of having traitorously endeavoured to subvert the rights and very being of parliaments. The sixth accused them of having actually raised and countenanced tumults against his Majesty. And by the seventh, having reference to the armed Guard which they had persisted in voting for protection of the House, they were said to have traitorously conspired to levy, and actually to have levied, war against the King. A manuscript copy of the charge, endorsed in the handwriting of Secretary Nicholas as "articles of treason against Mr. Pym and the rest," exists in the State Paper Office, and is printed below.*

MS.
Articles of
Treason in
State
Paper
Office.

* "Articles of High Treason and other high misdemeanors against the Lord Kenilston, Mr. John Pym, Mr. John Hampden, Mr. Denzil Hollis, Sir Arth^r Haslericke, and Mr. Will^m Strode.

- "1. That they have traytorously endeav^d to subvert the fundamentall Lawes and Gov^{nt} of the Kingdome of England, to deprive y^e king of his royale power, & to place in subjects an arbitrary & tyrannicall power over the lives, libertyes, & estates of his Maj^{ty} lovinge people.
- "2. That they have traytorously endeav^d by many fowle aspersions upon his Ma^{ty} & his Govern^r, to alienate the affections of his people, & to make his Ma^{ty} odious unto them.
- "3. That they have endeav^d to drawe his Ma^{ty} late armye to disobedience to his Ma^{ty}es commands, & to syde with them in their traytorous designs.
- "4. That they have traytorously invited and encouraged a forreigne power to invade his Ma^{ty}es kingdome of England.
- "5. That they have traytorously endeav^d to subvert the rights & very being of Parlam^{ts}.

While the articles were publicly read, the trouble and agitation were extreme. Their Lordships, to use the expression of Clarendon, were "appalled." He is hardly justified, however, when he somewhat spitefully adds that they took time till the next day to consider of it, that they might see how their Masters the Commons would behave themselves. Waiving altogether the King's requirement through his Attorney-General for immediate possession of the persons of the accused, and for a committee to take evidence on the charges, the Lords at once raised the question of the regularity of the accusation itself, and referred it to a certain number of their members to produce precedents and records. They sent an immediate message to the other House and named members for a Conference. On the previous day, as on a day preceding, they had declined the urgent instance of the Commons to join with them in demanding a Guard under an officer of their own selection; but now they intimated their readiness to join in that demand.*

Agitation
among the
Lords.

Imme-
diate
action
taken.

King's
demand
refused.

Agree-
ment with
Commons.

- "6. That for the compleating of their traytorous designs, they have endeav^d as farr as in them lay by force & terror to compell the Parlam^t to joyne with them in their traytorous Designs, and to that end have actually rayfed & countenanced tumults ag^t y^e King and Parlam^t.
- "7. That they have traytorously conspired to levie & actually have levied warr ag^t the King."

* The petition of both Houses was transmitted on the evening of the 3rd, but the reply, suspended by the exciting events which immediately followed, was not handed in until after the King had left London never to return, and the Houses had provided their own Guards. The original MS.

The feeling displayed was altogether such, indeed, that though the peer included in the articles of impeachment, Lord Kimbolton, was not only present, but upon the instant arose, repelled the charge, and challenged public enquiry into it, no one was so hardy as to press for his commitment. The person sitting next to Kimbolton while the Attorney-General read the articles, was Lord Digby, who alone, according to Clarendon, knew of the King's intention, and had promised to move the commitment (after the precedent in the case of Strafford) as soon as the accusation

Lord Kimbolton repels the charge.

Lord Digby silent :

Charles's answer to petition for Guard.

Not Lord Essex, but Lord Lindsay :

The most devoted of Royal partizans.

of this reply still exists in the State Paper Office, dated the 3rd, and wholly in the handwriting of the King. It shows what his determination had been to fight out the matter to the last, and the secret reliance he still placed, notwithstanding the Citizen assemblages and tumults at Westminster, on the power of the Lord Mayor within the City to promote and support his service. It is endorsed "Answer for a Guard," and runs thus :

"We having considered the Petition of bothe houses of Parliament concerning a Guard, doe give this answer; that we will (to secure there feares) command the L. Mayor of London to appoint 200 men out of the Trained Bands of the Citie (such as he will be answerable for to us) to wait on the Houses of Par: that is to say, a Hundred on each House, & to bee commanded by the E: of Lindsay: it being most proper to him, as being L: Great Chamberlaine; who by his place hath a particular charge: of y^e Houses of Parliam^t, and of whose integritie, courage, & sufficiencie, none can doubt."

The amount of sincerity involved in this proposal may be measured by the fact, that the Hereditary Great Chamberlain, being its author's most devoted adherent, was the man who within two or three weeks after signing the celebrated Belief that Charles had no intention to declare war against his subjects, actually took command of the troops levied for that purpose, and immediately after fell bravely fighting for his master as Commander-in-chief of the Royalist forces at Edgehill.

should be made.* Whether the warning sent this day by Marston† had already reached Lord Kimbolton, we have no means of knowing; but it seems probable that it had, and that his prepared and resolute aspect took Digby by surprise. It is quite clear, from a subsequent passage in Clarendon's History, that the author believed his friend to have failed either in courage or good faith.‡ Not to have moved at once the commitment "as soon as the Attorney-General had accused Kimbolton," he made a distinct charge against Digby, on the ground that if he had done so, he would probably "have raised a very hot dispute in the House, where many would have joined with him." I do not think it unjust to Lord Clarendon to say, that we may infer from this passage what his own feeling was. Yet between the proceeding by Attorney, and the King's personal interference, the difference was not very great.

For the moment, there is little doubt, even Digby's reckless audacity would appear to have failed him. Seeing the temper of the House, he not only sat silent, but affected the utmost surprise and perplexity as Mr. Attorney proceeded; and at the close, whispering in Lord Kimbolton's ear with great seeming agitation that the King was very mischievously advised,

Failure in courage or good faith :

Clarendon's charge against him.

Digby affects surprise :

* Clarendon, *Hist.* ii. 125.

† See ante, 86-88.

‡ *Hist.* ii. 128.

and suddenly quits the House. that it should go hard but he would discover his adviser, and that he would at once go to him to prevent further mischief, he rapidly quitted the House.*

§ XII. THE IMPEACHMENT BEFORE THE COMMONS.

D'Ewes in the Lower House.

D'EWES meanwhile was busy in the Lower House with his pen and ink, in his usual place by the Speaker's chair, "on the lowermost form close by the south end of the clerk's table;" but his pen moved less regularly than was its wont, and there is scarcely a single sentence in this particular day's entry that is not left half-finished. As he entered the House he had observed groups and crowds of officers and others scattered about here and there, in the lobbies and outside passages, in a manner not usual; but he took his seat without suspicion of what was passing in the Lords, and found Pym speaking to the Answer made by his Majesty to the desire of the House for a Guard of their own choosing, and making report as to those very incidents, of a threatening and unusual kind, which had attracted his own attention outside. Soon the agitation prevailing communicated itself to the learned member for Sudbury, and we can but follow in unfinished and somewhat incoherent lines the course of the speech, at the close of which

Pym speaking to the King's refusal of a Guard.

D'Ewes's hurried and unfinished reports.

* Clarendon, *Hist.* ii. p. 128.

Pym moved and carried a suggestion by way of request to the authorities of the City, that they would permit companies of trained bands to attend as a Guard upon the Houses at Westminster, and that they would set strong defences and watches about the City streets and walls.

One or two of the sentences still traceable in D'Ewes's note-book may show the tone Pym spoke in. "The Great Counsel of the King-dom should sit as a free Counsel . . . No force about them without consent . . . Not only a Guard of soldiers but many Officers in Whitehall . . . Divers desperate and loose persons are lifted and combined together under pretext to do his Majesty service. . . . One Mr. Buckle had said the Earl of Strafford's death must be avenged, and the house of Commons were a company of giddy-brained fellows." After Pym ceased, Nathaniel Fiennes brought forward, by way of report, some other facts exhibiting the disloyal conduct of the Digbys to the House; but his relation was brought suddenly to a close. Pym and Denzil Hollis were called to the door upon urgent messages by their servants, and members, in much excitement, began talking to each other at the same moment of what was passing in the Lords. Then Pym returned to his place, and Nathaniel Fiennes closed his report.

"Mr. Fiennes's relation was scarce made," says D'Ewes, "when the whole House, at least

Suggestion for a City Guard.

Fragments of Pym's speech.

Pym and Hollis informed of outrage at their homes:

Theirs
and
Hamp-
den's
papers
seized by
King's
warrant:

Declared
a breach of
privilege.

Resistance
justified.

Resolution
against
seizure of
private
papers.

" *the most of us*, were much amazed with
" Mr. Pym's information, who showed that
" his trunks, study, and chamber, and also
" those of Mr. Denzil Hollis, and Mr. Hamp-
" den, were sealed up by some sent from
" his Majesty." This the House proceeded
to declare a grave breach of privilege; and it
was further ordered, without debate, and with
wife and well-timed reference to the solemn
Protestation which every member had signed
on the eve of Strafford's execution in behalf of
the rights of Parliament, that if any person
whatsoever, without first acquainting the House
therewith and receiving from it due and neces-
sary instruction, should offer to arrest or detain
the person of any member, it was lawful for
such member to stand upon his guard of de-
fence, and to make resistance according to the
Protestation taken to defend the privileges of
Parliament. D'Ewes adds, that " though pri-
" vate intimation was now given to us that the
" King's Attorney had in his Majesty's name
" in the Lords' House accused the said mem-
" bers, and some others of our House of high
" treason, yet we accounted it a breach of
" privilege that their papers, &c. should be
" sealed up before their crime was made known
" to this House." *

A breach of privilege had indeed been com-
mitted. Fifty voices arose with that of the

* *Harleian MSS.*, 162, ff. 300 b, 302 a.

learned master of precedents at once to declare it so. It was not simply that the privileges of Parliament had been outraged in the form and manner of the proceeding, but that the most ordinary safeguards of law, to which the meanest citizen had to look for his daily and hourly protection, had been deliberately violated and put aside. The new Chancellor of the Exchequer, Culpeper, was present; and with Lord Falkland, the new Privy Councillor, occupied for the first time the official seats on the right of the Speaker's chair: but not a word against the resolution now moved was uttered by either. Hyde was not in the House, and it will appear hereafter to be a fact of some significance that no proof is discoverable of his presence during any of these debates.

The declaration of breach of privilege, and the order for resistance, having passed by acclamation, a Committee of conference was appointed to carry them to the Lords; the managers named being Glyn, the member for Westminster and one of the leading lawyers on the popular side, Nathaniel Fiennes, and Sir Philip Stapleton. These had answered to their names, and were about to proceed to the Lords, when it was announced that Mr. Francis, King's Serjeant-at-Arms, was at the door of the Commons, having the mace in his hand, and bearing command to deliver from his Majesty

Violation
of law as
well as
privilege.

The new
ministers
silent.

Hyde
absent.

No oppo-
sition
attempted.

The
King's
Serjeant at
the door of
the House:

Enters,
without
his mace.

Demands
the Five
Accused.

No De-
bate.

Compo-
sure of the
House.

a message to Mr. Speaker. But, even in that hour of supreme excitement, the leaders of the House forgot nothing that was due to its power and pre-eminence within its own walls. Mr. Francis was not permitted to enter until he had laid aside his mace. Divested of that symbol of authority he advanced to the Bar, and amid profound silence said that he had been commanded by the King's Majesty, his master, upon his allegiance that he should repair to the House of Commons where Mr. Speaker was, and there to require of Mr. Speaker five gentlemen, members of the House of Commons; and those gentlemen being delivered, he was commanded to arrest them in his Majesty's name of High Treason. "Their names," he added, "are Denzil Hollis, Sir Arthur Haslerig, "John Pym, John Hampden, and William "Strode."

No debate followed. The temper of the House had been too decidedly shown to render safe any attempt to contravene it; and a sort of settled and stern composure, contrasting strangely with the agitation that prevailed while yet the threatened blow had not fallen, appears in all the proceedings that immediately followed. The full knowledge of the worst, or what too hastily was taken for the worst, brought with it all that upon the instant became necessary to secure—what now was

directly in peril—even the very existence of Parliament and parliamentary power.

Mr. Francis was directed to wait outside the door until the pleasure of the House should be communicated to him. A message to the King was then ordered, not to be carried by Mr. Francis, but by four of their own members, of whom two, being his Majesty's Privy Counsellors, might haply serve to remind him, that, even from his chosen and selected Ministers, an allegiance was due within those walls from which no power or prerogative claiming above the law could absolve them.

As the sworn servants, not of the King, but of the Commons of England, Culpeper and Faulkland were required to accompany Sir John Hotham and Sir Philip Stapleton, when the close of the conference with the Lords should have released Sir Philip. They were to inform the King that his message, being matter of great consequence, and concerning the privilege of all the Commons of England, would be taken into serious consideration by the House, which in all humility and duty would attend his Majesty with an answer with as much speed as the greatness of the business would permit, and that the said accused members in the meantime should be ready to answer any legal charge made against them.

The five members were then separately addressed by Mr. Speaker, who enjoined them, one

The Ser-
jeant or-
dered to
wait out-
side.

Deputa-
tion to
carry mes-
sage to the
King:

the ac-
cused will
answer any
legal
charge.

The Five
Accused
ordered to
attend
daily.

by one, to attend *de die in diem* in that House until further direction, such attendance to be specially entered upon the Journals.* Of the matter charged in the articles of treason no notice now was taken. An order was simply made that the House should sit next morning at ten o'clock, as a Grand Committee, to consider the message of the King. But what this meant was well understood, and that the members were then to be heard in reply to their accuser.

Resolu-
tion for
Military
Guard out
of City.

Venn and
Penning-
ton sent to
the Lord
Mayor.

The act which followed proved to be one of the most important of all. The resolution for a Guard of the trained bands of the City, moved and carried by Pym at the opening of the sitting, was turned into an order of the House and committed to the care of Alderman Pennington and Captain Venn, members for London, who were directed immediately to repair thither and demand of the Chief Magistrate and Authorities therein, in compliance with such order, a Military Guard for protection of the House. The charge was promptly executed; in what circumstances, and with what effect, will hereafter be seen.

Day
declining.

All this had been done with marked deliberation, and the day was far advanced. The conference with the Lords as to breach of privilege had been brought to a close, and the Upper House had joined with the Lower in

* Where it yet stands, *C. J.* ii. 368.

declaring against the outrage committed by the act of sealing up the trunks, papers, and doors, in the private houses of the accused. Then an order passed the House, giving power to its Serjeant-at-Arms to break open those seals, and to Mr. Speaker's warrant to take into custody the persons by whom they were attached. Sir William Fleming and Sir William Killigrew,* it had now been ascertained, were the King's principal agents; and, a warrant for their apprehension having been issued, Sir William Fleming and the persons who had acted under his direction were conveyed that night to the custody of the Serjeant-at-Arms. Sir William Killigrew was not to be found.

Of the acts and proceedings of this memorable day, which before midnight were in print and circulated throughout the City, that was

* These were men reckless and needy, hangers-on of the court, and of broken fortunes. Among more important documents in the State Paper Office there remains a note of this Sir William Killigrew's dated eighteen months before this time, which shows, not merely the straits he was in for money (common enough then for the best men about the Court), but the discreditable ways and means he resorted to for getting it. "Knowe all men," it runs, "that I, S^r W^m Killigrew of London Kn^t have borrowed of Mst Robert Longe of London Esq^r a diamond hatband and one table diamond and the ringe, w^h I the said S^r W^m Killigrew have pawned unto diamond Capt. Peeter (who dwelleth at Mst Southe's the cutlar hatband in the Strand) for one hundred pounds; the which I doe binde my selfe my heires and executors to redeeme and to restore unto Mst Longe in or before Michaelmas Terme next: in witness whereof I have hereunto sett my hand, London: June 22^d, 1640. W^{ill} KILLIGREW." Endorsed: "Sir W^m Killigrew's note for the Diamond Hatt Band and Ring."

Seals
affixed by
King's
warrant to
be broken.

King's
agents
who seized
papers to
be im-
prisoned.

Sir Wil-
liam Killi-
grew:

Last act
of the
House on
3rd Jan.

the last but one. The last was to send out intimation to the King's Serjeant-at-Arms and Messenger, Mr. Francis, "who attended *"all this while"* at the door of the House of "Commons," that the answer to the King would be borne by members of their own.

§ XIII. WHAT FOLLOWED THE
IMPEACHMENT.

Interview
with the
King.

It was night before Falkland, Culpeper, Stapleton and Hotham were admitted to audience at Whitehall, and very strange the interview must have been. Charles appears to have addressed himself solely to Falkland. Hastily, when the message had been delivered, he asked whether any reply was expected, and, in the same breath, before Falkland could answer, said that the House should have his reply as soon as it assembled next morning, and that meanwhile it was to take his assurance that what had been done was done by his direction. It is just possible that Charles's intention, when he said this, may have been to send such reply; but if so, it did not survive the scene which is alleged to have been acted in those royal apartments not many hours after the four members quitted them.*

A promise
for next
day.

The anecdote rests on the authority of a manuscript note published by the historian Echard, which had been left by Sir William Coke of Norfolk to Mr. Archetil Grey, the

Authority
for scene
to be de-
scribed.

* Echard's *History* (ed. 1720), p. 520.

brother of Lord Grey of Groby; and though it certainly seems dated some hours too soon even for the occurrence it professes to relate, and should be read very guardedly, there is room to suspect that it possesses a considerable substratum of truth, for the understanding of which the reader will be better prepared if certain preliminary circumstances and considerations are submitted to him. Upon the entire statement of the facts he will have to judge, how far the proceedings which already have been described are likely, in all the startling and dangerous circumstances of the time, to have been taken, as Mr. Hallam seems to suppose, by the King acting singly and apart, not merely from his authorized advisers and from all his Privy Council,* but from the new adherents of his person and recipients of his favour, won to him by the Great Remonstrance. He will have to determine how far it is credible, that a design of such magnitude as the impeachment of leading members of the Commons, of which before the event rumours and alarms had gone forth

Admix-
ture of
true and
false.

View
taken by
Mr.
Hallam:

How far
credible.

* Hallam's words are (*Const. Hist.* ii. 125, ed. 1855) that Ill advised the King was guided by bad private advice, and cared not to let any of his Privy Council know his intentions lest he "should encounter opposition." This surmise may be correct, but the King's character and history cannot be said to support it. The life of Strafford offers incessant proof that Charles took strange pleasure in resisting the advice of men most attached to him, and in whom he had reason to place the greatest confidence. All the most serious acts of his own life were done in the very teeth of the most prudent counsellors who remained with him. Mr. Hallam's view not consonant with character of the King.

Did the
King act
apart from
all advice?

Were the
Attorney
and
Keeper
wholly
ignorant?

What
Strode
thought
of their
participa-
tion.

in many quarters; for which the late lawless levy of a Court of Guard at Whitehall was now loudly asserted to have been the preparation; which, to every one in the King's confidence, was beyond all question known to be a design not now for the first time entertained; and which required the aid of the keeper of his conscience, and the first law officer of his crown, to carry through its very first stage; had yet been imparted to no member of his Council when from his own hand the Attorney-General Herbert received the written articles of treason, and from his own lips the Lord Keeper Littleton took the message to the Lords. When Littleton and Herbert afterwards asserted so much, Strode, one of the accused, publicly avowed his disbelief.* But

Mr. At-
torney's
excuses to
the House.

Disbe-
lieved by
Strode.

* This incident took place on the 12th February, when the conduct of Sir Edward Herbert (who had sat for Old Sarum: there were ten other Herberts in this Parliament) was under discussion. D'Ewes tells us (*Harl. MSS.* 162, ff. 377b, 385a): "Mr. Pierrpoint said that the Lord Keeper had told him that after his Maj^y had shown the articles to the Attorney (impeaching Pym, &c.) he did to his uttermost power advise his Ma^y not to prefer them; but the King commanding him to do it, he came to the Lords House to perform the same, but was so troubled in mind when he came there, that he did adventure to return back to his Maj^y, and did humbly and earnestly advise him the second time not to prefer the same, but then receiving his Maj^{ties} absolute and peremptory command to do it, he performed it accordingly. Mr. Strode said he believed that Mr. Attor^y did not only contrive the same, but knew of the design itself also, for he was a man of great parts and well skilled in state matters, and was very violent both on Monday and Tuesday Jan^y 3 and 4." All things considered, Strode's suggestion was at least a pardonable one; and the reader will shortly have an opportunity of testing

such a question cannot even be raised upon the more daring act which was to be done on the succeeding day. There is not a shadow of pretence for the assertion, that the King had kept secret to the last hour the purpose to which effect was now to be given. It was most certainly discussed on this preceding night, and on the morning of the day itself; nor is there any doubt as to some at least of those who were present at the ill-judged and ill-fated Council.

Proposed
attempt of
the 4th not
secret to
the last.

Discussed
the pre-
vious
night.

§ XIV. SCENE IN THE QUEEN'S APARTMENTS.

WHITELOCK, who had fair opportunities of information both at the time of the occurrence and afterwards, says in his *Memorials* that "the Papists, by the means and influence of the

Ill ad-
visers:

the credibility of the Lord Keeper's and Attorney General's statement by comparing it with accounts of the transaction under the King's own hand. A few days before the present debate (Saturday, 29 Jan.) an effort had been made by the Court party to acquit Herbert by putting off upon "Peter The Baal, Esq. of the Middle Temple, being the Queen's attorney" (this is the "Ball" of the not very comprehensible Attorney paper memorandum in Sir Ralph Verney's *Notes*, p. 150) the act of having drawn the articles of treason. D'Ewes enables me to state this; and as the close of his Journal on that day is characteristic of the usage of the time, and of the unruly practices of honorable members, I subjoin it: "Several committees went out between 12 & 1, and many members, about one half in the House, went out to dinner. Divers called to keep the doors shut, which made me to move—not to disturb the service of the House by calling out 'Shut the door,' but that we might again renew the ancient order of Parliament, Door." and, seeing the days were growing longer, sit to a later period in the afternoon."—*Harl. MSS.* 162. f. 359 b.

Papists
and
women.

State-
ment of
Madame
de Motte-
ville.

Henriet-
ta's con-
duct on
the return
from
Scotland.

May the
historian.

"Queen, as was supposed, persuaded the King
"the next day in the morning to come himself
"to the House of Commons;" and he adds, as
an accredited rumour of the time, that it was
the women's counsel and irritation of Charles,
telling him that if he were King of England
he would not suffer himself to be baffled about
these persons, which provoked him to go to the
House himself, and fetch them out.* Madame
de Motteville states distinctly in her *Memoirs*
that the Queen had told her of a project to strike
terror into the Parliament, and seize again the
power that had been wrested from them; and, in
another passage, she says more plainly that the
King returned from the great dinner which had
been given him in the City on his arrival from
Scotland,† so elated by the cheering and applause

* *Memorials*, i. 154 (ed. 1853).

† Ante, 21, 22. Without placing anything of an implicit
reliance on what is said by the Queen's chamber-woman, her
position at the time yet fairly entitles her to be heard. "She"
(the Queen) "was ever diligent," says Madame de Motte-
ville, "in gaining partizans to her husband, and won over
"the Lord Mayor. On the King's return from Scotland
"she went to meet him and to apprise him of the compliant
"disposition of his subjects. The royal family were received
"in London with great marks of loyalty, & the King re-
"solved to take advantage of this state of things, to seize the
"leaders of the House of Commons. He entrusted his plan to
"few but the Queen." A more trustworthy witness to the dis-
astrous effects of that unfortunate City dinner is the historian
May: "Who would not in probability have judged," he
says (*Hist. lib. 2, cap. 2, 18-19*), "that the forementioned
"costly and splendid entertainment which the City of London
"gave to the King, would have exceedingly endeared them
"unto him, and produced no effects but of love & concord?
"Yet accidentally it proved otherwise. For many people,
"ill affected to the Parliament, gave it out in ordinary dis-

of the Citizens, that he determined to avail
himself of the supposed popularity implied in it,
to seize the "leaders" in Parliament. Monteu-
reuil, the French Ambassador, subsequently
claimed the credit to himself of having given
timely notice to the leaders ("J'avois prévenu
"mes amis, et ils s'étoient mis en sûreté") to
provide for their safety; and even if the fact of
his having done so were doubtful, he would
hardly have ventured to claim the credit unless
it were notorious that he had the opportunity.
Finally, it only needs to advert, in proof of
the notorious complicity of the Queen's party
in the design, to the subsequent state paper of the
Commons in which they denounce "the in-
"fluence which the priests and Jesuits had
"upon the affections and counsels of the
"Queen, and the admission of her Majesty to
"intermeddle with the great affairs of state."*

The leaders of the Commons had indeed
good reason to suspect her Majesty. Not
many months before this date, when their inter-
ference had arrested her announced journey to
Spa, they were foully assailed by the Royalists
upon the ground that they had covered her with

Warning
to the ac-
cused from
French
Ambassa-
dor.

Effects of
Queen's
intermed-
dling.

Her de-
signs sus-
pected by
the Com-
mons:

"course (non ignota loquor, it is a known truth) that the
"City were weary of the Parliament's tedious proceedings,
"& would be ready to join with the King against them.
"Whether it begat the same opinion in the King or not, I Charles
"cannot tell; but certainly some conceived so, by actions
"which immediately followed."

* Remonstrance from Grocers' Hall Committee. See
Clarendon's *Hist.* ii. 185.

disloyal suspicions, nor had scrupled to discover, in a simple excursion for health and pleasure, treasonable motives, and even a possible design upon the property of the Crown. Yet not a great many days after the events now described, every one of those suspicions was proved* to have been well-founded; and when at length it was known that she had managed to quit England upon the enterprize of raising foreign arms for the King, carrying with her to this end not only her own and the King's jewels, but the jewels of the Crown,† the regret might well be felt, even by moderate men, that the patriots had not put their old misgivings into force. Conscious of her own intentions, this was doubtless what she had herself most dreaded; and Clarendon explains the eager violence with which she threw herself into the King's project of impeaching the members, by the terror she entertained of their impeaching herself. "That which wrought so much upon the Queen's fears," he says,‡ "besides the general observation how the King was betrayed, and how his rights and power were every day wrested

Suspicions proved true.

Clarendon explains her desire to have the members impeached:

Abstraction of the Crown jewels.

* See *Nelson*, ii. 391, for indication that the Commons suspected the design against the Jewels as early as July 1641.

† Whitelock's *Memorials* (ed. 1853), i. 159; and see Hallam, *Const. Hist.* ii. 139. Mr. Hallam is infinitely moderate and cautious in dealing with these passages of our history, but he admits, in a note to the passage just referred to, that the Queen's intended journey to Spa in July 1641, which was given up at the remonstrance of Parliament, was highly suspicious.

‡ *Hist.* ii. 231.

"from him, was an advertisement that she had received of a design in the prevalent party to have accused her Majesty of high treason; of which, without doubt, there had been some discourse in their most private cabals, and, I am persuaded, was imparted to her upon design, and by connivance (for there were some incorporated into that faction who exactly knew her nature, passions, and infirmities), that the disdain of it might transport her to somewhat which might give them advantage. And shortly after that discovery to her Majesty, those persons before mentioned were accused of high treason."

To save herself from impeachment.

The person here more particularly pointed at as having played out, apparently on both sides, the double intrigue of friend and of betrayer, was undoubtedly Lady Carlisle, now in daily intercourse with Pym and Lord Kimbolton, and herself a chief actor also in the scene about to be related. Without raising the question whether it might not have been even with herself for "messenger" that the Queen and King had lately made the overture to Pym which was meant to ensnare him from his party, it does not admit of controversy that this strong-willed woman, by far the most generous and the most constant of all the friends of Strafford, and for that reason still in acceptance and reputation at Court,

Lucy, Countess of Carlisle.

Her daily intercourse with Pym and Kimbolton:

after Strafford's death,

Retribu-
tion for
betrayal of
her friend:

Betrays
the Court
to the
Com-
mons:

Her con-
duct ex-
plained by
her cha-
racter.

had been, ever since the King's surrender of his great Minister, deep in the secret counsels and confidence of Pym and his friends, and had done them most material services. Clarendon's first editors suppressed the passage in which he dwells explicitly on the evil she wrought against her quasi-friends at Court: but it may properly here be reproduced. The historian is closing a sort of summing up of the adverse circumstances with which Charles the First at this time had to contend. "And lastly, " which, it may be, made all the rest worse, the " Countess of Carlisle, who was most obliged " and trusted by the Queen, and had been for " her eminent and constant affection to the " Earl of Strafford admitted to all the con- " sultations which were for his preservation, " and privy to all the resentments had been " on his behalf, and so could not but remember " many sharp sayings uttered in that time, was " become a confidant in those counsels, and " discovered whatsoever she had been trusted " with."* So did Clarendon, out of his simple observation and knowledge of humanity, and without reproach to the Countess for so avenging a bitter wrong, sufficiently explain, as it seems to me, the sudden transfer of Lady Carlisle's allegiance from Strafford's false friends to his open enemies. In that way,

* Clarendon, *Hist.* ii. 603-604.

not unnaturally, might so vehement and impetuous a spirit resent his betrayal; it is to be remembered also that her brother, the Earl of Northumberland, had by this time, after a far less constant and generous devotion to Strafford, changed sides from the Court to the Parliament; and there is certainly not the shadow of a ground for the imputation which so many grave historians have since repeated on the authority of a jesting remark by Sir Philip Warwick,* that this mature lady of

Her
brother
Northum-
berland.

Sir Philip
War-
wick's
scandal.

* The passage is worth quoting as written by one who passed much time in very intimate personal attendance on the King, because the only regret expressed in it with regard to the attempt of the 4th January is that it was made too late: "In Scotland having learnt the confederacies against him, and the intelligence some of our great members had held with the ambassadors of foreign princes, particularly the French, and somewhat of the depth of their designs, he was forced to resolve to accuse some members of both Houses of treason; but too late, God knows: enough to show, that when Princes will long put off their dangers by unreasonable concessions, they do not divert their hazard, but run into it. And now tho' he resolves to proceed against these members by a due process in law, & accusation and them first in the Lords house by his Attorney Generall, and then in the House of Commons by himselfe (both Houses having ever allowed that no privilege of parliament could by any single member of either House be pretended unto in the case of treason, felony, or breach of peace), yet his coming to the Lower House being betrayed by that busy stateswoman the Countess of Carlisle (who had now changed her gallant from Strafford to Mr. Pym, and was become such a she-Saint that she frequented their sermons and took notes), he lost the opportunity of seizing their persons" &c. &c. *Memoires* (ed. 1702), p. 204. While I am bound to state my conviction that the imputation which would give to Lady Carlisle the great Puritan leader for her gallant, is without a shadow of other testimony to support it, I need not conceal the fact that the Royalist libellers kept a well supplied armoury of weapons of this kind, which any

more than forty years of age, who had been twenty years a wife,* and five a widow, had now

No ground
for War-
wick's
libel.

Royalist writer was sure to find always ready to his hand. Pym's free living and gallantries were an untiring theme. From the *New Diurnall*, or from *The Sense of the House*, or from *Reasons against Accommodation*, I could furnish abundant instances, but they are not always quotable. One of the more scholarly of these reckless penmen had invented even a Latin song which went by Pym's name, and supplied material for infinite libels by way of answer.

I wonder one so old, so grave,
Should yet such youth, such lightness have.

* * * * *
Thou mayst as soon turn Turk as king;
And that, oh that's the tempting thing—
That thou mayst glut thine appetite
With a seraglio of delight!

Pym's un-
puritanic
manners.

Occasionally, however, even a Royalist libeller is under some influence which gives him pause in his career of slander, and his charge against the great leader resolves itself, at such times, into what may possibly have originated the whole of this fruitful theme of unscrupulous wit—Pym's free unpuritanical manners, and flowing courtesy to women, repeatedly noticed by contemporaries. Take an example from *Lines to a Lady*:

Then go, fair lady, follow him;
Fear no trumpet, fear no drum,
Fair women may prevail with Pym,
And one sweet smile when there you come
Will quickly strike the Speaker dumb.

"Round-
head"
explained
by Baxter.

Let me add that when Baxter, in a well-known passage of his *Narrative* (p. 34), represents the Queen, in Pym's presence, asking who that round-headed man was (which, by the way, she is not at all likely to have done, for there is ample evidence that his person was well-known both to Queen and King long before the Strafford trial), the reader must yet not suppose her to have meant by the phrase that he was what is called close-cut or crop-eared. In that sense it would not be more applicable to Pym and Hampden than to Hopton and Rupert. The remark of Baxter may be given for its illustra-

* She was married to Lord Hay, afterwards Earl of Carlisle, in the autumn of 1617.

changed her "gallant" from Strafford to Pym. One of the King's physicians, Doctor Bates, in his *Rise and Progress of the Troubles*, is not disposed to be more complimentary to her than Sir Philip was; but at least he keeps more within the probabilities when he ascribes her conduct to a willingness now to set off her wit, as formerly she had done her beauty, the gifts of different ages, amongst the Parliament men. This writer, a partizan of Charles the First, though he did not decline, during the Protectorate, to prescribe for Cromwell, also distinctly declares, in that portion of his *Elenchus Motuum* which was written and printed before the Restoration, that it was "by the advice of some of his Privy Council "who were themselves members of the "House,"* that the King, finding the Commons resolute not to deliver up their members on legal charge, went himself the next morning to arrest them.

A sug-
gestion
more
probable.

Doctor
Bates.

Privy
Council-
lors said to
have ad-
vised the
King.

Of a different complexion from his state-ment, though not necessarily at variance with it, is the scene that waits to be described from Coke's Manuscript, preserved by Archetil

tion of the subject treated ante, 63. He is speaking of the word *Roundhead*. "The original of which name is not certainly known. Some say it was because the Puritans then com-
"monly wore short hair, and the King's party long hair;
"some say it was because the Queen at Strafford's trial asked
"who that round-headed man was, meaning Pym, because he
"spoke so strongly."

* Ed. 1685; p. 34.

King and Queen on the night of the 3rd January: Grey. A long and very passionate debate had passed in the royal chamber on the night of the fruitless attempt of the Attorney-General, the Queen taking prominent part therein; and it had ended, according to this account, in the settled resolve that Charles would himself demand the members next morning. But his heart failed him when the morning came. He went to the Queen's apartments early, and, finding Lady Carlisle with her, took her Majesty into her closet, and there, having put to her all the hazards of the attempt, and all its possible consequences, declared that he must abandon it. Whereat the Queen, no longer able to contain her passion, violently burst out, "Allez, poltron! Go, pull these rogues out by the ears, ou ne me revoyez jamais!" Without replying the King left the room. The anecdote is certainly not in any respect reliable, if accepted strictly in this form; but it seems to favor the supposition of some admixture of truth in it, though misdated as well as misstated, that Madame de Motteville should unconsciously have given us in her Memoirs a sort of sequel to it. She describes the Queen, while waiting in her closet with vehement expectation, rejoined by Lady Carlisle. In a previous passage she had dwelt upon Charles's leave-taking hardly an hour before, not in silence indeed, as Coke reports, but with a hasty promise to Henrietta

On the morning of the 4th.

Lady Carlisle closetted with the Queen.

that if she found one hour elapse without The one hearing ill news of him, she would see him, hour. when he returned, master of his kingdom. With impatient dread she had since passed that interval of suspense, and now, on Lady Carlisle's sudden entrance, thinking the hour was past and the stroke made not missed, she exclaimed to her friend, "Rejoice! for I hope that the King Queen betrays her secret. "is now master in his States, and that Pym "and his confederates are in custody." She had told the triumph of her hate too early to prevent Lady Carlisle from making it the Lady Carlisle betrays the Queen. triumph of her own. Within an hour from that time, adds Madame de Motteville, Pym Queen. knew what was to be done that day.

§ xv. COUNCIL OF THE NIGHT OF THE 3RD OF JANUARY.

THE nature of the debate of the preceding The night's debate: night, the number who were present at it, and the character of those who took active part in it, remain still matters of doubt to us. Was it a meeting of the King and Queen with the Queen's friends only, with Lord Digby, the French Ambassador, and William Murray* of the Bed-Chamber, as Clarendon would have us believe; or was it one at which, or immediately preceding which, the King had consulted with those of his Privy Council who

Who were present?

* "Littel Vil Murry," as the Queen calls him in her letters.

Testi-
mony of
Sir Arthur
Hafelrig.

Gratitude
to Lady
Carlisle.

Rage of
the Queen.

What
philoso-
pher
Hobbes
says.

were also members of the House of Commons, in other words with Sir Edward Nicholas, Culpeper, and Falkland, as Doctor Bates distinctly avers? When Sir Arthur Hafelrig, himself one of the accused, recalled the circumstances sixteen years later, in one of the Parliaments of the Protectorate, it is remarkable that in what he said, after expressing his thanks to God that through the timely notice given by the kindness of that great lady, the Lady Carlisle, bloodshed had been prevented, he seems at once both to confirm the substance of Sir William Coke's story, and to make it much more probable by changing the time alleged for it, while he leaves it compatible with either supposition as to the character of the previous night's meeting. On the King's "return," he said, "the Queen raged and gave him an unhandsome name, poltroon, for that he did not take others out; and certain, if he had, they would have been killed at the door."* On the other hand, when Hobbes speaks, in his *Behemoth*, of the long subsequent altercations between the Parliament and the King, and says that the persistent demand of the House of Commons, that the King should declare who were the persons that advised him to go, as he did, to the Parliament House to apprehend them, had for it no other motive than

* Burton's *Diary of the Parliaments of Cromwell*, iii. 93. Hafelrig's speech was delivered on the 7th February, 1658-9.

"to stick upon his Majesty the dishonour of
"deserting his friends and betraying them
"to his enemies,"* he distinctly sanctions the assertion of Bates that the act was neither unpremeditated by the King nor unadvised by his counsellors.†

Perhaps the question, which must after all be left to a careful and impartial judgment upon the attendant circumstances, may receive its not least important illustration from considering all that was involved in that chance of a fatal issue, with such emphasis referred to by Hafelrig. The turning point of the case is probably there; and in what the undertaking included beyond its ostensible pretences, its real key or solution may be found. It is usual to treat the attempt which the King was now about to make, as an act of rashness far transcending in its danger that which already through his Attorney General he had made, and far surpassing in its folly all his other acts of state since his return; as an undertaking which he never could have dared to submit to any of his advisers, and

Direction
in which
to look for
motives
and ob-
jects of
attempt of
4th Janu-
ary.

Not so
rash as
supposed.

* The truth was, as the historian May has pointed out (lib. 2, cap. 2, p. 25), that in this demand the House was thoroughly justified and perfectly regular; "the law in two Demand several statutes providing that if in time of Parliament the for names King accuse a member of the same of what crime soever, of King's he ought to signify to the Parliament who were the advisers. informers."

† Hobbes in the same tone and spirit adds: "The King waved the prosecution of the 5 members, but denied to make known to them the names of those who had advised him to come in person to the House of Commons to demand them."

Position of
the King
after fail-
ure of at-
tempt of
the 3rd
January.

Challenge
taken up
by the
Commons.

Difficulty
of retreat.

Alleged
evidence
to support
the charge.

an adventure which necessarily he must have undertaken, if at all, on his undivided responsibility. But does this view take sufficiently into account the antecedent circumstances, the challenge flung down to the Houses, the continued exasperation of the Citizens, and the position in which, amid a population already so dangerously excited, the failure of the first day's enterprise had left the King? There are occasions when what would ordinarily be the madness of despair becomes a courage only equal to the occasion. All the dangers involved in a deliberate attack on the privileges of the House of Commons, and the persons of its leaders, had now been incurred. The challenge thrown down had been promptly taken up, and from it, to a vision less narrow and obstinate than the King's, there might well seem no possible retreat, consistent with dignity or safety. Let it be assumed, as an act of justice to Charles the First, that he honestly believed himself to be in possession of evidence, which, before such a tribunal as might be obtained to try them, would bring the accused members certainly within the penalties of treason. Hyde professes that he had no doubt of it; and neither, it is probable, had Culpeper or Falkland.* But, on the other hand, the reso-

* He is speaking, in another passage, of the fears entertained by himself and them that the attempted arrest might prove a disadvantage to the King's affairs. "Not that they thought the gentlemen accused, less guilty; for their

lute determination of the House to protect its members interposed an insuperable difficulty, and at once made painfully apparent that a false step had been taken. This, if at all to be retrieved, it was now not possible to retrieve by any proceeding within the limits of the law. Five Commoners had been accused of treason before a tribunal which had not the shadow of a jurisdiction to try them; and the forms of the grand jury, which for centuries had shielded and protected the English subject, had given place to a lawless exercise of the most hateful of all the processes of law and of prerogative, an Attorney-General's Ex-officio upon the information of the King. Could anything now suggested to meet such a crisis be in effect worse, whether by failure or success, than what had thus directly occasioned it?

These were the circumstances in which, on the night of the 3rd of January, we must assume the idea to have been started, that,

"extreme dishonest arts in the House were so visible, that What
"nothing could have been laid to their charge incredible: Clarendon
"but the going through with it was a matter of so great thought of
"difficulty and concernment, that every circumstance ought the King's
"to have been fully deliberated, and the several parts dis- proceed-
"pened into such hands, as would not have shaken in the ing.
"execution. . . . If the choice had been better made,
"and the several persons first apprehended, & put into dis-
"tinct close custodies, that neither anybody else should have What he
"heard from them, nor they one from another, all which would
"had not been very difficult, the high spirit of both Houses have done
"might possibly have been so dejected, that they might have himself.
"been treated withal." *Hist.* ii. 183-4.

False step
irretriev-
able
within
limits of
law.

Nature of
the act
already
commit-
ted.

One way
to recover
ground:

Renewal
of attempt
with
means to
enforce it.

Foiled
only by
Lady Car-
lisle's
warning.

Idea of
resistance
insepara-
ble from
proposed
attempt.

strong in the justice of a case to which the subtleties and niceties of law were no longer applicable, the King should go with the armed attendants of his new Court of Guard (provided for that special occasion, men afterwards said) to the House next morning, and himself demand the members to be given up to him. Objection might be made that this would be but the repetition, in an exaggerated form, of what had failed that day: but the obvious answer, that, in the event of such resistance being repeated, means of counter-resistance were provided, gives its distinctive character to what the King now designed. If bloodshed followed upon violence, the responsibility would rest with those who provoked it: nor is it possible to doubt, that, but for Lady Carlisle's interference, such must have been the issue raised. The whole of the occurrences of the past three weeks had gone altogether in the same direction; and we have seen that merely on the view of what was passing from day to day, a terror and foreboding of calamity was in the hearts of the most moderate men. It was hardly a time when even the thought of such an act as the King was about to undertake could have arisen, unaccompanied by the prevision of some consequences sure to follow, of which the weight or levity would wholly turn upon the degree of confidence or fear already inspired by the conduct of the people. But when

fear was wisdom, Charles the First had no fear. We shall find that he still to this hour, and beyond it, blindly relied on the City as under the control of its loyal Chief Magistrate. He confessed afterwards his mistake in having been induced to believe that the House of Commons had now ceased to be popular. Armed bravos and soldiers of fortune had unpunished drawn their swords on the people, and "chased" and hunted them in the public ways. And why not complete, at the House itself, what in the streets had been thus begun?

The change of position taken up by the accused members on the second day, bears out this view of the case, and sanctions the belief that the issue sought to be raised was, and could be, no other than one of violence.* The House of Commons withdrew its members at the approach of the King, not because it feared the King more than it feared his Attorney-General or his Serjeant-at-Arms, but because of the danger of a collision with

The King
incapable
of a wise
fear.

The issue
raised, one
of vio-
lence:

reason
why the
House
withdrew
its mem-
bers.

* Whitelock says (*Memorials* i. 153): "And divers White-
"imagined that if the five members had not received a secret lock's
"notice from a great court lady, their friend (who overheard view:
"some discourse of this intended action, and thereof gave
"timely notice to those gentlemen) whereby they got out of
"the House just before the King came: otherwise, it was
"believed, that if the King had found them there, and called
"in his Guards to have seized them, the members of the
"House would have endeavoured the defence of them, which
"might have proved a very unhappy and sad business; and
"so it did, notwithstanding that was prevented. This sudden
"action being the first visible & apparent ground of the
"ensuing troubles."

Extent of
danger
prevented
by Lady
Carlisle.

Source of
Queen's
self-re-
proach :

not pre-
vention of
attempt,
but inter-
ception of
confe-
quences.

Previous
prepara-
tions :

At White-
hall ;

and in the
City.

the armed men who accompanied him. Attention has not been sufficiently fixed on this part of the case. Madame de Motteville tells us that the Queen never ceased to reproach herself to the last day of her life, for having casually disclosed what led to the removal of the members from the House. To have prevented, not the King's attempt, but the possibility of violence and bloodshed in giving effect to it, was to her the most bitter reproach. "Never did he treat me for a moment," she exclaimed, "with less kindness than before it happened, though I had ruined him." She had ruined him, because unconsciously she had caused the betrayal of his plan for disabling or striking down his enemies, in the House where they had mortally assailed him by upholding the liberties of his people.

There is no injustice to the King in the views here expressed. The injustice is in treating his scheme as a braggart display of force it was never designed to use. The preparations for it were all too deliberately made to render credible any such belief. It was afterwards clearly proved, and admitted by Charles, that on this 3rd of January means had been taken to fortify Whitehall with a considerable access of arms and ammunition. What was hoped, and desperately planned, to have been done in the City, will shortly be revealed upon

evidence beyond cavil or dispute. So far back as the previous Friday the 31st of December, as will appear hereafter from what D'Ewes reveals to us of evidence given by Captain Langres, orders had been sent to the officer in command of the Court of Guard at Whitehall to obey "one Sir William Fleming." On this very night while the subject was yet in debate, means had been taken to obtain assistance from the gentlemen of the Inns of Court, who could themselves furnish at that time an important military guard, and whom we have already seen eager, during the Westminster Hall tumults, to proffer for the King's protection a band of 500 men.* Sir William Killigrew had been

Evidence
of Captain
Langres.

Assistance
sought
from Inns
of Court.

* Ante, 78. I have found curious evidence existing in the State Paper Office of the anxiety of the Court to render this force efficient and to secure its services in case of need. It is a Royal letter to the Benchers of Gray's Inn touching the exercise of arms, and is dated at that striking period preceding the dissolution of the Third Parliament, when, to most thinking men, the hope of any final settlement without ultimate appeal to arms must first have begun to appear desperate. No one who examines the State papers of this time in our National Repository, still untouched by the historian, can fail to be struck by the change of tone and attitude taken by the people. Thus early the country was on the point of rebellion. Only faith in the leaders of the House of Commons kept it still. Even in a thing which till then had been a mere matter of course—the bringing of State prisoners from the Tower to the Courts—days, times, and modes of conveyance had to be selected with the nicest care for avoidance of popular tumults; and whether Eliot and Selden were to be brought by water or by land, on particular occasions, was matter of anxious deliberation between the Governor of the Tower and the Law Officers of the Crown. The paper to which I have referred, and which has never been printed, is worth subjoining in detail. Apart from its special historical significance, there may be found in Benchers it at the present time an interest which makes appeal, yet of Gray's nearer and closer, to that spirit which supplies in all ages a Inn.

Inns of
Court
Volunteer
Guard.

A trou-
bled time.
Midsum-
mer, 1823:

the
country on
eve of re-
sistance.

Killigrew
sent round
with copy
of Im-
peach-
ment.

sent round to each of the Four Inns with copies of the articles of treason, and with summons from his Majesty in each case to be in waiting the next morning at Whitehall. A similar course had been taken also with the Guard at the Palace.

Desire to
have all
citizens
exercised
in arms.

Defect to
be sup-
plied, a
want of
discipline.

Law stu-
dents not
to neglect
studies,
but to
occupy
leisure and
vacations.

country's only efficient safeguard,—the patriotic ardour, the disciplined valour, and the skill in arms of her sons.

"Trusty and Well Beloved Wee Greet you well. Considering that these times are full of action and danger, true religion being now assaulted in all parts of Christendome, our purpose is to employ our best care to make all our subjects well prepared by the exercise of armes to defend the truth and our Kingdomes, and to maintaine the safetie and honour of Our Nation; and because the voluntary example of the gentlemen of the Innes of Court will much conduce to that good end, Wee therefore will and require you that you doe in our name recommend vnto them the exercise of Archerie and Armes, inciting and encourageing them at their times of recreation to employ themselves therein, and especially in horsemanship, a commendable and noble exercise and most necessarie in all occasions of Warr wherein other Nations have gott the advantage of Us. Our greatest defect is want of discipline and Knowledge therein: by occasion thereof the greatest disorder and confusion doe usually happen in armes. But Wee doe usually refer it to every gentleman to exercise, either on horse or foot, what armes shall best sort with his owne disposition; and Wee will extend our Royall grace and furtherance by all fitt waies and meanes to all such as shall manifest their forwardnes in that worke, which will be an honour to your Societyes and a worthie example to our Subjects. Our meaning is, not that any the Students of our Lawes should by this occasion neglect their studies, but that they should change their former exercises in time of Vacancie and recreations into the most usefull actions for the common good and defence of religion, our Royall person, themselves, and our countrye. And Wee will that you shall cause these Our Letters to be openly read unto the Gentlemen of the Societie, declaring unto them that Our care shall be duely to encourage and advance all such as shall well deserve either by their Studdies or the commendable Actions Wee now commend unto them. Given under our Signet at our Pallace at Westminster the 28 of June on the 4th Yeare of our Raigne."

Still, even assuming the matter to have been so presented to the new Secretary of State and the two Privy Councillors most recently sworn to advise the King, and most deeply interested in providing for his ultimate safety by the advice they gave, all must yet be conjecture as to the probable course they took. But it is impossible to exclude from consideration the fact, which Clarendon repeatedly admits, that they agreed thoroughly with the King as to the guilt of the accused, and never placed on higher grounds than those of "convenience" and expediency their objection to the attempted arrest.* We are to remember also that the objection was not publicly ex-

What the
new
Ministers
thought of
the guilt
of the
accused.

* In the very passage where he ventures on the strongest What expression of doubt and apprehension as to the course taken Falkland, by the King (remarking that he and his friends, between Culpeper, grief and anger, were confounded with the consideration of and Hyde what had been done and what was like to follow), he never would theless thus continues: "They were far from thinking that have done the accused members had received much wrong; yet they with the thought it an unseasonable time to call them to account for Five it. That if anything had been to be done of that kind, Members: there should have been a better choice of the persons, there being many of the House of more mischievous inclinations and designs against the King's person and the Government, and were more exposed to the public prejudice, than the Lord Mandeville Kimbolton was . . . Then Sir Arthur Haselrig and Mr. Strode were persons of so low an account and esteem . . . that they gained credit and authority by being joined with the rest, who had indeed a great Seized influence. However, if there was a resolution to proceed them against those men, it would have been much better to have separately, caused them to have been all severally arrested, and sent and sent to the Tower, or to other prisons, which might have been each to a very easily done before suspected, than to send in that different manner to the Houses with that formality which would be prison. liable to so many exceptions."

Objection
to arrest
only after
its failure.

Hyde em-
ployed to
justify it.

Misrepre-
sentation
of the
case.

"Gentle-
ness" of
King's
attempt
alleged by
Claren-
don.

An act of
favour.

pressed until after the attempt had issued in complete disaster; that it was then accompanied by other statements too grossly at variance with the known facts not necessarily to subject it to grave suspicion; and that the very person on whose single assurance posterity has been content to believe it, is the same whose pen was employed by the King to justify the very act objected to. Within a few days after its occurrence, Hyde, replying in the name of Charles to the City petition, vindicates it as "a gentle" proceeding against men who had been accused on the clearest grounds of high treason; for that, in such a case, as it was notorious that no privilege of Parliament could extend to treason, felony, or breach of the peace, and as, in despite thereof,* the House

* The answer to the City petition will be found in *Hist.* ii. 149. "For his going to the House of Commons, when his attendants were no otherwise armed than as gentlemen with swords, he was persuaded, that if they knew the clear grounds upon which those persons stood accused of high treason, and [what would be proved against them, with which they should be in due time acquainted, and considered the gentle way he took for their apprehension (which he preferred before any course of violence, though that way had been very justifiable; since it was notoriously known that no privilege of parliament can extend to treason, felony, or breach of the peace), they would believe his going thither was an act of grace and favour to that House, and the most peaceable way of having that necessary service performed; there being such orders made for the resistance of what authority soever for their apprehension." It is difficult to steer through the involutions of these sentences, but to discover their drift is not difficult. Somewhat later, when it had ceased to be safe to urge the guilt of treason against the accused as entirely clear and capable of proof, quite another colour was sought to be

of Commons had made order for resistance of the apprehension of their members against all authority whatsoever, "any course of violence" "had been very justifiable."

Let me add that when Clarendon, speaking in his proper person,* repeats this argument, and states that the leaders claimed immunity against even regular proceedings upon the charge of treason, he practises largely indeed upon the carelessness or credulity of his readers. "For if," he says, "the judges had been compelled to deliver their opinions in point of law, which they ought to have been, they could not have avoided the declaring that by the known law, which had been confessed in all times and ages, no privilege of Parliament could extend in the case of treason; but that every Parliament-man was then in the condition of every other subject, and to be proceeded against accordingly." No privilege claimed against treason.
False issue raised.

given to the fatal act. "We put on," Charles is made to say, (*Husband, Coll.* 246) "a sudden resolution to try whether our own presence, and a clear discovery of our intentions, which haply might not have been so well understood, could remove their doubts, and prevent those inconveniences which seemed to have been threatened; and thereupon we resolved to go in our own person to our House of Commons, which we discovered not till the very minute we were going, the bare doing of which we did not then conceive could have been thought a breach of privilege," &c. &c. William Lily, characterising Charles the First's style, describes exactly that of Clarendon: "He would write his mind singularly well, and in good language and style; only he loved long parentheses." It is scarcely necessary to add, that, in the style of instances just quoted at least, the parentheses are Clarendon's writing. —See *Life*, 130-133. * *Hist.* ii. 193. Another sketch from same hand.

Indemnity
from trea-
son never
claimed :

Method of
proceed-
ing only
objected
to.

Culpeper's
confidence
to Dering :

Charles's
trust in his
new coun-
sellors.

He knew perfectly well, when he wrote this passage, that the House of Commons had solemnly disclaimed the views and pretensions here attributed to them; and that the real point, from which he always studiously manages to carry off the attention of his readers, turns upon the breach of privilege and gross breach of all common as well as constitutional law, involved, not in charging members of Parliament with treason, but in the mode adopted to give effect to such a charge.

It is surely no very harsh assumption, seeing how soon these arguments were resorted to in vindication, that some such arguments might also have been debated on the memorable night of the 3rd of January, when it is known that Falkland and Culpeper were certainly with the King; when they had been sworn so recently of his Council; and when the question was no longer whether the rash attempt should be made, but whether it should be wholly abandoned by abandonment of all further authority. That Sir Edward Dering had derived from the new Chancellor of the Exchequer, Sir John Culpeper, his colleague in the representation of Kent, the information that shortly before the Chancellorship was conferred upon himself it had been offered to Pym, seems hardly to admit of doubt; and the mere fact of the new ministers possessing this information, carries other presump-

tions with it inconsistent with the notion that they had failed as yet to obtain the real confidence of the King. Such most certainly was not the impression at the time. When Clarendon complains that himself, Falkland, and Culpeper, could not avoid being looked upon as the authors of those counsels to which they were so absolute strangers, and which they so perfectly "detested;" when he expresses his vexation that they continued to be pointed at as the "contrivers;" he at least exhibits what was a prevailing belief, and one which a partizan and servant of the King, in a grave account of the period, has distinctly sanctioned. When, on the other hand, in almost the same page of his History, Clarendon declares that "the three persons," Falkland, Culpeper, and himself, believed in the guilt of the accused, and only thought it would have been far better to have caused them to have been all severally arrested and sent to the Tower or to other prisons (which, he adds, if every circumstance had been fully deliberated, and the several parts distributed among such hands as would not have shaken in the execution, might have been very easily done), he supplies us with the means of testing, by a very accurate measure, the nature and amount of "detestation" with which the King's act had inspired these counsellors of the King. Let Falkland and Culpeper have all the advantage derivable from

Imputa-
tion
against
Hyde and
his friends.

Believed
to be
"contri-
vers" of
the arrest.

Their
mode of
objecting
and de-
nying :

no evi-
dence of
"detesta-
tion" of
the deed :

but rather
proof of
indirect
participa-
tion.

Stake
played for
and lost.

having shared, at one and the same time, the detestation at the ill-doing of it by the King, and the eagerness to have had opportunity of doing it better themselves. The present writer at least is convinced that if these men were not direct, they were indirect, parties to the deed that now waited to be done. If it failed, the King's case could not be more desperate than already it was become. If it succeeded, and the leaders of the Majority in the House of Commons were struck down, intimidation might be left to do its work upon their followers, the Minority which had rallied against the Remonstrance might be gathered and reinforced under less troublesome leaders, and the English people be led back into bondage by the very power which had effected their deliverance.

§ XVI. MIDNIGHT VISIT TO THE CITY.

Secretary
Nicholas
consulting
late with
the King.

Provision
against
tumults
next day.

ONE remarkable incident remains to be described, which a document in the State Paper Office enables me to establish, and which will probably be accepted for irrefragable proof that at least the King was in consultation with one of his principal Secretaries of State, Sir Edward Nicholas, late in the night of this 3rd January; and that the object of their deliberation must have been, beyond all possible question, to provide against popular

tumults which there was special reason to look for on the following day, and to neutralize any measures taken by the House of Commons for defence against further and forcible aggression. To what extent the argument in the foregoing section receives confirmation from such an occurrence, every reader will be able to judge for himself, and will be better able to judge correctly when all its curious circumstances are told.

It has been seen that one of the last acts of the Commons before they broke up their sitting after the articles of impeachment were presented, was to send Pennington and Ven into the City with a request for a Guard out of the Trained Bands under the immediate order of the Chief Magistrate. Upon this being made known to the King, he thought himself strong enough to defeat it by a counter warrant to the Lord Mayor, and this was directed to be prepared accordingly. The rough draft of the warrant remains still among the Papers of the State. It is in the handwriting of Under Secretary Bere, and is corrected by Secretary Nicholas himself, sufficing proof of its authenticity. Such proof, indeed, it needed, for it is in its terms very damnable evidence against the King and the King's counsellors. It is an instruction to the Chief Magistrate of London, not merely to refuse to the Commons the Guard they had desired, but in its place to

Order of
House for
City
Train
Bands.

Counter-
warrant
signed by
the King.

Grave evi-
dence
against
the Court.

enroll such a Guard for the royal service, with order for its immediate employment in suppressing and dispersing all tumults, disorders, and assemblages of the people in the streets of the City; and with express instruction to it, in case persons so assembling should refuse to retire to their houses peaceably, to fire upon them with loaded bullets.

Order to
Train
Bands to
fire on the
Citizens.

Inter-
cepted and
not pub-
lished
until now.

Why not
put in
force.

Reached
the City
too late.

Happily for the King, this royal warrant remained *brutum fulmen*, and sees the light first in these pages; for, had the attempt been made to enforce it, London would in all probability have witnessed such a scene as must then have changed the entire subsequent course and aim of our English Revolution. Nor is the cause which interposed itself to prevent the attempt the least striking part of the story. Near the paper as it lies in our National Collection remains also the letter of the agent employed by Secretary Nicholas to carry it to Sir Richard Gourney. His instructions appear to have been to hasten with it into the City, to see the Lord Mayor, to urge upon him the necessity of immediately calling the Sheriffs to council (one of whom was known to be as strongly royalist as Gourney himself), to open and read it in their presence, and to give directions then and there for carrying it into effect. But the night was farther advanced than in the haste and eagerness had been supposed. The clocks at Whitehall had not kept good time.

Mr. Latche the messenger found the Chief Magistrate in bed, and Ven and Pennington had been beforehand with him. In a word the project had failed, happily for all involved in it, most happily for the King. It is discovered only now, when two centuries have passed away, as one of the secrets of what might have been history, that late in the night of the 3rd of January, 1641-2, Charles the First, in deliberation with his principal Secretary of State, had provided, in a certain and too probable contingency, itself the result of an excitement he was himself creating, for the firing with powder and bullet upon assemblages of his unarmed subjects in the streets of the City of London.

Fortunate
accident
for the
King.

What
might
have been
history.

Thus ran the warrant: "To the Lord Mayor of London. Right trusty and well-beloved Counsr. Wee understand that the House of Commons hath sent to have Guard of the trained Bands of that Or City. Forasmuch as some of w^{ch} said House are lately accused of high treason, Our will and command is that you take especial care that none of Our trained bands be raised w^{thout} speciall warrant from us, and wee shall take in Or royall care that nothing shall be don to the prejudice or disturbance of Or said City, [w^{ch} we shall be as vigilant to keepe in quietnes as others are to engage & put into tumult and

Copy of
the war-
rant.

Reference
to Five
Members.

Train
Bands
called out
for the
King.

All gath-
erings of
Citizens
to dif-
ferse:

On refusal
to be fired
upon.

Letter of
Nicholas's
agent.

“disorder*]: But in case you shall find any
“great numbers of people to assemble together
“in a tumultuary & disorderly manner wthin
“O^r said City or the liberties thereof, Our
“will and command is that you then cause see
“many of O^r trained bands to be raised as you
“shall thinke fitt, well armed and provided,
“and that you give order to suppress all such
“tumults and disorders, and if they shall find
“resistance, and that the persons soe assembled
“shall refuse to retire to their houses peace-
“ably, or to render y^mselves into the hands of
“justice, that then, for the better keeping of the
“peace, and preventing of further mischeefes,
“you command the Cap^{ts}, Officers, and Souldiers
“of our said trained bands, by shooting with
“bullets, or otherwayes, to suppress those
“tumults, & destroy such of them as shall
“persist in their tumultuous wayes and dis-
“orders: For which this shall be yo^r warrant.
“Given, &c. 3rd Jan. 1641.”

And thus runs the letter which announced
to Secretary Nicholas the failure of a mission
which so temperate and discreet a minister must
in his heart have wholly disapproved. It is
addressed “To the Rt. Honorable Sir Edward
“Nicholas, Kn^t Principal Secretary to his
“Ma^{tie} att Court. Present these:” and is
endorsed in cipher by Sir Edward himself.

* The words in Brackets are interlined in the handwriting
of Nicholas.

“Right Honorable,

“The Clocks att Whitehall last night went ^{Whitehall}
“to late. The nighte was further spent than ^{clocks be-}
“they shewed. My Lo. Major was in his ^{hind the}
“bedd before I came thither. Yet I spake ^{time.}
“wth him & delivered the Letter: this
“morning he will call the sheriffs to him &
“open it. This enclosed is a copie of the ^{Antici-}
“Order of the House w^{ch} was brought unto ^{pated by}
“him by Alderman Pennington and Captⁿ ^{deputation}
“Venn, who did much enlarge themselves in ^{from}
“discourse thereupon, intimating great feares, ^{Com-}
“but kept themselves in such generall termes, ^{mons.}
“as the Order is, that their meanings were not
“easie to be known. I was till One of the ^{Past mid-}
“clock aboute the Tower, and found all ^{night at}
“places very well guarded, & the tumultuous ^{the}
“rout disperfed. If the King upon sight of ^{Tower.}
“this Order shall direct anything otherwise
“than last night, my man shall attend to
“receive y^{or} commaunds & bring it *privatly*
“to me. In the meantime I shall this morn-
“ing pursue yesterday night's direction, and ^{Any fur-}
“then attend you wth an Account of my pro- ^{ther pri-}
“ceedings who shall and [ever] remaine ^{vate com-}
“ ^{mands?}

“Y^r humble servant

“*Strand 4th Jan. 1641.*”

“JOHN LATCHE.”

Doubtless much was left unsaid in that
letter, but what is said leaves it sufficiently
clear that the members for London had in-

Inferences from agent's letter.
 Preparations for the morrow.

spired the Lord Mayor with a salutary general fear, which they were careful not to weaken by a too great explicitness. So the Court emissary was fain to betake himself to the Tower, to see at least that the Guards were all duly set and maintained about the great fortrefs. But why all this mystery and anxiety, why these untimely visits and alarms, if there were not expected to arise upon that January midnight a morning fraught with issues for good or ill of an unusual and important nature?

Memo-
rable day.

Nor did it indeed fall short of such expectation. As much as any day in the long course of our varied and noble history, did this memorable day of the 4th of January, 1641-2, contribute to turn the balance of events in favor of popular freedom.

§ XVII. MORNING OF THE 4TH OF JANUARY.

House of Commons: Falkland reports King's message.

It was early in the morning when D'Ewes entered the House; but Lord Falkland had already reported the King's reply to their message of the preceding night, to the effect that he would send an answer that morning before the House was set. Still the answer was delayed, and, shortly after, D'Ewes took his seat. Mr. Alexander Rigby, the member for Wigan, a lawyer of Gray's Inn who afterwards sat upon the trial of the King, then rose and

made some significant comments on his Majesty's promised answer, in connection with certain messages which he alleged to have been sent round to the Inns of Court on the previous night, with copies of the articles of impeachment, and with injunctions to the gentlemen there "to be in readiness this day to attend at Whitehall, and to be ready at an hour's warning to defend his Majesty's person." * Mr. Rigby closed with a motion, which was adopted, that four members of that House, also members of the Inns, should on the instant proceed thither, and ascertain the facts by personal inquiry.

Then, pursuant to the Order of the previous day, the House turned itself into a Grand Committee; and Pym, with the articles of treason in his hand, arose. He read the charges

* *Harl. MSS.* 162, f. 304 b. Ludlow has a characteristic anecdote and illustration in his *Memoirs*, (i. 21-22): "The King, finding that nothing less would satisfy the Parl' than a thorow correction of what was amiss, & full security of their rights from any violation for the future, considered how to put a stop to their Proceedings: & to that end encouraged a great number of loose debauched fellows about the town to repair to Whitehall, where a constant table was provided for their entertainment. Many gentlemen of the Inns of Court were tamper'd with to assist him in his design, and things brought to that pass that one of them said publicly in my hearing—'What! shall we suffer these fellows at Westminster to domineer thus? Let us go into the country, and bring up our tenants to pull them out.' Which words not being able to bear, I questioned him for them; and he, either out of fear of young the public justice, or of my resentment, came to me the next morning, and asked pardon for the same: which, by reason of his youth & want of experience, I passed by."

Pym re-
plies to
articles of
treason.

Allusion
to Straf-
ford.

Charge of
bringing
over the
army to
the Parlia-
ment:

Less trea-
sonable
than over-
awing Par-
liament by
army.

successively, admitting frankly that they estab-
lished treason if proved: but he so repeated
them, to that eager and excited audience, as
with the highest art of the orator to strike
heavily against the Court itself with the very
weapons aimed at the accused. "True, Mr.
"Speaker," he said, "this present Parliament
"hath adjudged it treason to endeavour to
"subvert the fundamental laws of the land."
No one could mistake that allusion. "Sir,
"it hath likewise been voted high treason to
"attempt to introduce into this kingdom a
"form of government arbitrary and tyrannical."
In what particular series of acts of State and
of Council, such attempt consisted, the Re-
monstrance had lately spread and diffused all
over the land. "Sir," he added, pausing at
the third article which charged upon them the
attempt to win over the King's Northern army
to themselves, and so pointedly rewording it as
to bring plainly before the House the recent
proved conspiracy of the King's servants to
overawe the deliberations of Parliament by
means of that very army, "Sir, it is un-
"doubtedly treason to raise an army to com-
"pel any Parliament to make and enact laws
"without their free votes and willing pro-
"ceedings therein." A cry of stern satisfac-
tion broke forth, as the orator so proceeded
through each of the charges of treason.

Then, still earnestly declaring that each, if

established, might well justify the last penalties
of its high offence, with a singular vividness
he confronted it with the comment of the
particular conduct in Parliament to which
alone, in his own case, it could possibly apply.
With severe simplicity he confined himself to
the parallel in each instance, and he employed
not an unnecessary phrase or word. Thus, as
to the second article, he said, that if by free
vote to join with the Parliament in publishing
a Remonstrance against delinquents in the
State; against incendiaries between his Majesty
and his kingdom; against ill-counsellors, who
labored to avert his Majesty's affection from
Parliament; and against ill-affected Bishops
for their innovations in religion, their oppres-
sion of painful, learned, and godly ministers,
their vexatious suits in their unjust courts,
their cruel sentences of pillory and mutilation,
their great fines, banishments, and perpetual
imprisonments—if *that* were to cast aspersions
upon his Majesty and his government, and to
alienate the hearts of his loyal subjects, good
Protestants and well-affected in religion, from
their due obedience to his Royal Majesty,
then did he avow himself guilty of that article.
If it were to levy arms against the King, he
continued, to consent by vote with the Par-
liament to raise a Guard of Trained Bands to
secure and defend the persons of the members
thereof, being environed and beset with many

Compari-
sons in-
vited.

Avows
publica-
tion of
Remon-
strance.

Accepts
the guilt
and re-
sponsibi-
lity.

As to
charge of
levying
arms
against
King.

Apprehending delinquents.

Guilty of defending Christ's doctrine and orthodox government.

Judgment desired from the House.

"Well moved."

A further and ominous question.

dangers, then was he guilty also of that act of treason. And further, if it were to be a traitor, to agree with the chief Council of the State in apprehending and attaching as delinquents such persons as they knew to be disaffected to the King's crown and dignity, to his wife and great Council of Parliament, to the pure and simple doctrine of Christ, to the true and orthodox government of the Church of England as established and confirmed by many Acts of Parliament in the reigns of Henry, Edward, and Elizabeth Tudor, and of King James of blessed memory, in that respect also he avowed himself to be guilty.

Then, in conclusion, having thus separately contrasted, under the seven several heads of treason, his actions with the accusations against him, Pym craved of the House that it should further weigh both respectively in the even scales of its wisdom, and he doubted not of being found altogether clear of the crimes laid to his charge. He was resuming his seat amid loud shouts of "Well moved," "Well moved," when he stopped a moment, again advanced towards the Clerk's table, and, while a sudden silence fell upon the House, humbly craved Mr. Speaker's further patience to offer to his consideration, whether to exhibit articles of treason by his Majesty's own hands in that House agreed with the rights and privileges thereof; and whether for an armed Guard to

beset the doors of the House during such accusation of any of the members thereof, were not a grave breach of the privilege of Parliament? The last question had a pregnant meaning on the morning of this eventful day, but its full significance was still to come.

Upon Pym resuming his seat, Hollis, Haselrig, and Strode rose afterwards in succession, and in the brief phrase of D'Ewes, "protested their innocence." Strode further declared his belief that the Impeachment was not directed against them upon any supposition of their being really guilty of the matters charged, but merely to compel their absence from debate; and he warned the House, that if, under pretence of trial, they were to be arrested and taken thence, they would never be proceeded against legally, but be simply by force cut off. Haselrig alone expressly avowed that he was conscious of that part of the charge on which the King solely relied for any vestige of evidence in proof of it. After declaring that anything in the nature of a hostile attack aimed against the privileges of Parliament, constituted one of the worst kinds of treason, or of attempts to subvert the fundamental laws, he averred that his acts, and those of the gentlemen with him, *particularly with reference to Scotland*, had been in perfect accordance, upon every occasion, with votes and resolutions of that House; and that the charge

Has not breach of privilege been committed?

Hollis, Haselrig, and Strode defend themselves.

Strode's speech.

Haselrig's speech.

Haselrig's reference to Scottish treason.

of promoting tumults and insurrection was utterly groundless.

Hampden speaks.

Hampden next arose. His speech was more striking; it was indeed singularly impressive; and in the fragment ascertainable yet of what actually was said by the member for Bucks, there is assuredly nothing that in any way confirms or countenances those manifest interpolations in the published speech attributed to him which led Mr. Southey to characterize it as an

Justifies resistance.

avowal of slavish obedience! It might, on the contrary, almost seem as though his tone were expressly assumed to render impossible any such imputation. As if, in a single sentence, he would anticipate and overthrow the whole miserable doctrine of Sir Robert Filmer and his followers, Hampden at once declared to the House, on rising, that he understood it to be the sign of an ill and a disloyal subject, if a man should yield obedience to the commands of a King when these were against the true religion and against the ancient and fundamental laws of the land; whereas a good and a loyal subject was he, who, to a King commanding anything against God's true worship and religion, or against the ancient laws, denied obedience. One seems to hear that calm, clear

Ill and disloyal, good and loyal, subjects.

Unaccustomed emotion.

voice, troubled and shaken with a passion to which it was unaccustomed, in this plain assertion of the doctrine of Resistance.

But what, then, was the true religion? I

find it, said Hampden, in my Bible. "By Where Hampden looked for true religion.
 "searching the sacred writings of the New
 "and Old Testament, we may prove whether
 "our religion be of God or no, and by look-
 "ing in that glass discern whether we are in
 "the right way or no. In these two Testa- The two Testaments.
 "ments are contained all things necessary to
 "salvation; and then only is our religion true,
 "when that it doth hang upon this truth of
 "God, and no other secondary means. Nearest The Protestant Church
 "thereunto cometh the Protestant religion, as true.
 "I really and verily believe; teaching us that
 "there is but one God, one Christ, one faith,
 "one religion, which is the Gospel of Christ
 "and the doctrine of His prophets and
 "apostles. That other religion, therefore, Bible alone
 "which joineth with this doctrine of Church needful to
 "and His apostles the traditions and inven- salvation.
 "tions of men, strange and superstitious wor-
 "shipings, prayers to the Virgin Mary, to
 "angels, and to saints, cringing and bowing
 "and creeping to the altar, cannot, I say, be
 "true, but is erroneous, nay devilish. All Traditions and super-
 "which being used and maintained in the stitions
 "Church of Rome to be as necessary as the devilish.
 "Scripture to salvation, that Church is there-
 "fore a false and erroneous Church, both in The Romish Church false.
 "doctrine and discipline—a false worshipping
 "of God, and not the true religion."

Very solemn and memorable words to have been spoken on such an occasion, containing in

A creed
to live by
and die
for.

Hamp-
den's
change of
bearing.

Secrets of
his charac-
ter re-
vealed.

Waiting
his time.

Charges
by Hyde
and
D'Ewes.

themselves, and promulgating for all, not merely a creed that men may live by, but a belief they will cheerfully die for. It is given to few among the sons of men to see the future in the instant, but Hampden was of the few. His manner at this eventful time, too, gave added weight to his words, which appear less to have impressed the lighter members and Royalists, indeed, this particular day, than the sudden and decisive change in the look and tone of him who uttered them. The mildness had for ever passed away. A fixed and stern resolution had replaced the old conciliatory bearing, and now truly might his enemies see, what Sir Philip Warwick tells us the scurf commonly on his face showed plainly enough,* that beneath the quiet and seeming passionless self-control which he was able ordinarily to assume, lay a very sharp and acrimonious temper of the blood.

They might have discovered or suspected it before. If Hampden had not until now assumed this uncompromising tone, if he had not earlier spoken thus, it was simply that before now the need had not shown itself, and the time for so speaking had not come. Clarendon charges him with begetting many notions the education of which he committed to

* In speaking of his death at Chalgrove. The hurt, Sir Philip says, was not in itself mortal; but it was rendered so by the acrimonious condition of his blood, "as the scurf commonly on his face shewed."—*Memoirs*, 239.

other men, and with leaving his own opinions with those from whom he pretended to learn and receive them.* D'Ewes attributes to him a "serpentine subtlety" which brought anything to pass that he desired, and "did still put others to move those businesses that himself contrived."† But these, as on a former occasion has been pointed out, are the imperfect and prejudiced judgments of a character whose very strength of self-reliance, self-containment, and silence, invited that kind of misconstruction. Upon no man of this great period, I would repeat, are so unmistakeably impressed the qualities which set apart the high-bred English gentleman, calm, courteous, reticent, self-possessed; yet with a persuasive force so irresistible, and a will and energy so indomitable, lying in those silent depths, that all who came within their reach came also under their control.

These are qualities which no craft however dexterous, and no subtlety the most serpentine, can in any manner or degree supply. When Clarendon, after taxing even his ingenuity to draw a bill of indictment against Hampden, ends by speaking of him as not only a very wise man and of great parts,‡ and who laid his designs deepest,§ but who had a great sagacity

* *Hist.* iv. 92—93.

† *Harl. MSS.* 163, f. 691 b.

‡ *Hist.* iv. 91.

§ *Hist.* i. 323.

Highest
power of
statesman-
ship.

A leader
and gover-
nor of
men.

Change in
Pym as
well as

Equal to
anything.

in discerning men's natures and manners, and was possessed with the most absolute spirit of popularity, that is, the most absolute faculties to govern the people, of any man he ever knew; * he assigns to him the highest form of power a statesman can possess. The richest gifts are wasted in that direction, wanting this. To make the spoils of differing intellects its own, to draw strength from the weaknesses of men, to assimilate the most varied experiences, to render every mind it touches tributary, is to have that which the utmost accomplishment in eloquence, in learning, or in public affairs will fail to give, and which constitutes pre-eminently a leader and governor of men.

Nor was it that any less supreme temper, or inferior self-command, had appeared in Hampden as he repelled the King's charge of treason, but simply that what before was not called for had become necessary now, and as the occasion rose he rose along with it. After the accusation of Treason, says the historian of the Rebellion, Mr. Hampden was much altered; his nature and carriage† seeming

* *Hist.* iv. 91-92. Again (ii. 15) he says of him: "He hath been mentioned before as a man of great understanding and parts, and of great sagacity in discerning men's natures and manners; and he must upon all occasions still be mentioned as a person of great dexterity and abilities, and equal to any trust or employment, good or bad, which he was inclined to undertake."

† This is undoubtedly Clarendon's word, though Mr. Hallam strangely misquotes it as "courage." *Const. Hist.* ii. 127.

much fiercer than before. So also did he say of Hampden's friend and fellow-labourer Pym. From the time, too, of *his* being accused of high treason by the King, he never entertained thoughts of moderation, but always opposed all overtures of peace and accommodation.* They both saw, what men of such sagacity could now hardly fail to see, that the armed struggle was at hand, that it must be fought out to its last issue, and that when, in defence of the Law and Religion they so prized, the sword was once drawn, the scabbard must be flung away.

And so, to the close of what yet remained of the lives they had given up freely to their country, these great men went in perfect harmony together. They shared the same beliefs and purposes, the same hopes and resolves, the same enemies and friends, in common to the end. Nor was it otherwise than well, remarked Hampden to Hyde when they next met in the House after the incidents of this 4th of January, that himself and Pym should hereafter know who *were* their friends. The trouble which had befallen them had at least been attended with that benefit; and he said also, "very snappishly" adds Mr. Hyde (an expression that reveals himself if it fails to exhibit

* *Hist.* iv. 441. In another passage he says of Pym that Pym "though in private designing he was much governed by Mr. Hampden, yet he seemed to all men to have the greatest influence upon the House of Commons of any man." *Commons.* iv. 438.

Mr. Hampden), that he well knew Mr. Hyde had a mind they should both be in prison.*

Such, however, was not the mind of the House of Commons. Undaunted amid the perils that surrounded them, they at once resolved, upon the last of the accused members refusing his seat, to desire a conference with the Lords to acquaint them that a scandalous paper had been published, and to require their help in instituting inquiry who were the authors and publishers of the said scandalous paper, to the end that they might receive condign punishment, and the Commonwealth be secured against such persons. The *scandalous paper* was the Articles of Impeachment which the King had published by the hands of his Attorney-General.

* This anecdote is in Hyde's *Life*, (i. 103), and his mode of telling it is still to mix up with it a purposed and deliberate misrepresentation of the real matter in issue. "Though they," he says, referring to Hampden and Pym, "had a better opinion of his discretion than to believe he had any share in the advice of the late proceedings, yet they were very willing that others should believe it; and made all the infusions they could to that purpose amongst those who took their opinions from them: towards which his known friendship with the Lord Digby was an argument very prevalent: and then his opposing the votes upon their privilege had inflamed them beyond their temper; inasmuch as Mr. Hampden told him one day, that the trouble that had lately befallen them had been attended with that benefit, that they knew who were their friends: and the other offering to speak upon the point of privilege, and how monstrous a thing it was to make a vote so contrary to the known law, he replied very snappishly, 'that he well knew he had a mind they should be all in prison;' and so departed without staying for an answer." Hampden might well turn upon his heel and move silently away, for reasons far other than those imputed to him.

Conference with the Lords demanded.

Impeachment denounced as a scandalous paper.

Hampden and Pym as to "discretion" of Mr. Hyde.

"Snappishness" of Mr.

Hampden.

Another object of the Conference (of which Fiennes, Glyn, the younger Vane, and Hotham were named managers), D'Ewes adds, was to call immediate attention to the King's Guard at Whitehall, as not the less also "a breach of our privilege," and interruption to the freedom of debate. This is the first hint he gives of any immediate alarm; and though there is little doubt, as will shortly appear, that Pym had received notice the previous night of some specific and violent design in contemplation, he was not, as it would seem, made aware of the King's resolve to take part in it himself.* Clarendon speaks of a composedness appearing, during the events of this remarkable day, in the countenances of many who used to be disturbed at less surprising occurrences; and this doubtless was an indication that the House generally had been placed upon its guard. But its forced calmness was put to severe tests. "It was now generally declared," says D'Ewes, "that there was a great confluence of armed men about Whitehall, and that between thirty and forty canoneers went yesternight into the Tower at ten of the clock. Also that the Hamlet men, who were to be ordinary warders there, had no arms given them: but that the Bishops' men were well armed.† Mr.

The Whitehall Guard an interruption to free debate.

Composedness of the leaders of the Commons.

Gatherings of armed men near the House.

* *Hist.* ii. 128.

† *Harl. MSS.* 162, f. 304 b. Ten of my Lords the

Pym
moves a
deputation
to City.

Deputa-
tion de-
parts.

No man
to know
its errand.

Alarm
still in-
creasing.

Adjourn-
ment for
an hour.

" Pym moved that we might send notice of
" these several informations and dangers into
" the city, to the Lord Mayor, Aldermen,
" and Common Council there assembled, and
" to let them know in what danger the Par-
" liament was: all which was ordered accord-
" ingly."* And, for execution of the order,
Alderman Sir Thomas Soame was joined to the
two members, Pennington and Ven, who had so
ably discharged themselves of the message of the
House on the preceding day; "and they were,"
says D'Ewes, "sent instantly away into the
City." In such haste, indeed, that a material
point was forgotten. "After they were gone
" out, Mr. Peard" (the same who moved the
printing of the Remonstrance) "was sent after
" them, to require them to let no man know
" their errand till they came into the City."†
Still there were members anxious that more
should be done, as the rumour of what was
preparing in Whitehall took more and more
palpable shape. "Mr. Nathaniel Fiennes and
" others," says D'Ewes, "moved that some
" members of this House might be sent to
" observe what numbers of armed men were
" about Whitehall, and to know by what au-
" thority they were assembled there: but this
" order was not fully agreed upon, when we
" adjourned the House, about 12 of the clock,

Bishops, it will be remembered, were at this time lodged,
with of course all due attendance, in the Tower.

* *Harleian MSS.* 162, f. 305 b.

† *Id.*

" till one of the clock in the afternoon—for an
" hour's space."

§ XVIII. BETRAYAL OF THE SECRET.

MOMENTOUS was the hour during which the House thus adjourned its sitting, for within that brief space all the King's intention was betrayed. Up to the time of the adjournment, grave as were the causes of alarm, and the grounds for expecting some act of violence, the circumstance which gave its utmost gravity to the outrage contemplated does not appear to have been in any degree suspected even remotely. But now it was that Lady Carlisle managed to convey to Pym that the King meant to put himself at the head of those Whitehall desperadoes, and in person to demand, and if necessary seize, the accused members as they sat in their places in the House of Commons. D'Ewes tells us that, "this day at "dinner,"* the five members also received a secret communication of the King's intention from the Lord Chamberlain of the household, Lord Essex, with advice that they should absent themselves.

Nevertheless that does not appear to have been their first intention. The Speaker resumed his chair, says D'Ewes, between one and two o'clock, and the four selected members who,

* *Harl. MSS.* 162, f. 306 b.

Report
from Inns
of Court.

Lincoln's
Inn.

King's
message to
be in
readiness
this day.

As prompt
in loyalty
to Com-
mons.

Same from
Gray's
Inn.

From In-
ner Tem-
ple.

by order of the House in the morning, had been dispatched to the Inns of Court, rose and made brief report of their mission. Mr. Richard Brown, of Lincoln's Inn, the member for Romney, stated "that he had done the message of the House to the gentlemen of that society, whose answer was, that they had at first gone to the Court last week only upon occasion of a report brought to them that the King's person was in danger: That yesternight they had received a message from his Majesty by Sir W^m. Killigrew and Sir W^m. Fleming, that they should keep within this day, and be ready at an hour's warning if his Majesty should have occasion to use them: That they brought likewise a paper of articles to them, by which the Lord Mandeville and five members of the House of Commons were accused of High Treason: That they had only an intent to defend the King's person, and would likewise to their uttermost also defend the Parliament, being not able to make any distinction between King and Parliament: And that they would ever express all true affection to the House of Commons in particular." Mr. William Ellis, of Gray's Inn, the member for Boston, next rose, and "made the like relation" from that society. So, from the Inner Temple, did Mr. Roger Hill, member for Bridport, and who sat afterwards in judgment on the King. And

so, finally, did Mr. Philip Smith, member for Marlborough, report from the Middle Temple; with the difference that this Society sent their reply in writing, and desired it should be added that their intention to defend the King's person was no more than they were thereunto bound by the oaths of allegiance and supremacy. "With which several answers from the Inns of Court," D'Ewes adds, the House rested exceedingly well satisfied.

The
House sa-
tisfied.

Then rose Nathaniel Fiennes, and, in proof that the royal messages to the learned societies just related were but part of a scheme which was under the same direction, and which depended for its execution on the armed assemblages in the vicinity of the House, "made relation that he had been at Whitehall, and had asked of one of the officers by what authority they were there assembled, who answered that they were commanded to obey Sir W^m. Fleming in all things that he should enjoin them." The member for Banbury was still speaking when Pym, Hampden, Hollis, Haselrig, and Strode entered and took their seats, whereupon the Speaker directed it to be entered in the Journals that they had done so.*

Armed
crowds
gathering
nearer.

Re-en-
trance of
the Five
Members.

Communication was now made to the House of the secret intelligence received, and then followed a debate, brief and pressing, but

The Secret
disclosed
to the
House.

* See *Commons' Journals*, ii. 368, where the entry still stands.

Should the
accused
retire or
remain?

A new
actor on
the scene.

Lenthal
announces
King's
approach.

Chronicler
Heath.

on which hung certain issues by which the future destinies of England were probably determined. Should the accused retire, or wait the King's arrival? Pym, Hollis, and Hampden, conscious of all the danger, appear to have been for quitting the House, Haselrig and Strode for remaining; and the dissentients were still urging reasons against retreat while yet, as they argued, no positive knowledge was before them of a necessity for abrupt departure, when a new actor came suddenly on the scene. Breathless with the exertion he had made to reach the House rapidly, to which end he had even clambered over the roofs of neighbouring buildings,*there appeared at the door a friend of Nathaniel Fiennes, an officer of French birth settled in England, by name Captain Hercule Langres. Fiennes left his seat, exchanged some hasty words with the unexpected visitor, and immediately passed up to Mr. Speaker's chair: upon which Lenthal rose and abruptly told the House, now a scene of extraordinary excitement, that the King already had left Whitehall at the head of a large company of armed men, and was approaching Westminster Hall.

* *Harl. MSS.* 162, f. 310 b. Heath says (*Brief Chronicle*, p. 39) that Langres was a servant of the Queen. He declares also that the accused members were not able to get into the City on the night of the attempted arrest, such was the excitement prevailing; and that they lay hid all that night in the King's Bench Court, and did not find refuge in the City till next day. But nothing that Heath says is worthy of credit unless well corroborated by better testimony.

This closed debate. The motion before the House had been, that, considering there was an intention to remove five of their members by force, to avoid all tumult let them be commanded to absent themselves: but the motion now substituted, and at once affirmed, was that the House give their members leave to absent themselves, but enter no order for it. "It was a question," Haselrig afterwards said, "if we should be gone; but the debate was shortened, and it was thought fit for us, in discretion, to withdraw. Away we went. The King immediately came in, and was in the House *before we got to the water.**" Not, however, until violence had been used. For, even then, Strode, "crying out that he knew himself to be innocent, and that he would stay in the House though he sealed his innocence with his blood at the door,"† had to be dragged bodily out by his friend Sir Walter Earle, and placed in the barge which had been hastily provided, and was in waiting at the Westminster stairs.

Leave to
Five
Members
to absent
them-
selves.

Away to
the City
by water.

Strode re-
sists, and
is dragged
out.

§ XIX. THE KING'S APPROACH TO THE HOUSE.

MEANWHILE Charles and his companions had well-nigh reached the lobby of the House of Commons. The King's attendants.

In the declaration of breach of privilege

* *Burton's Diary*, iii. 93.

† *Harl. MSS.* 162, f. 306 b.

As to their number and arms: subsequently issued, it is stated that the number of armed men who accompanied the King was five hundred: nor does the King, in his reply, dispute this, though he alleges that his own attendants were no otherwise armed than as gentlemen with swords. The remark pointed only to his immediate Guard and Pensioners; but nothing was afterwards more distinctly proved than that the bulk of the force who followed carried fire-arms as well. Here are the witnesses.

Testimony of Sir Ralph Verney: Sir Ralph Verney states, that, beside his usual Guard and all his Pensioners, his Majesty was attended by two or three hundred soldiers and gentlemen.* Rushworth makes the same distinction between the royal guard of pensioners and halberdiers, and the miscellaneous company who followed, and who constituted the famous (or infamous) Whitehall Guard, of commanders, Reformadoes,† and soldiers of fortune.‡ Ludlow, who might himself have been (and probably was) an eye-witness, says that Charles went attended not only with his ordinary guard of pensioners, but also with those desperadoes that for some time he had entertained at Whitehall, to the number of three or four hundred, armed with partizans, swords, and pistols.§ May, also a good au-

* *Notes*, p. 138.

Reformadoes. † A Reformado was an officer of a company disbanded, but whose own services had been retained as still belonging to the regiment of which his company had formed part.

‡ *Hist. Coll.* part III. i. 477.

§ *Memoirs*, i. 24.

thority, puts down "the gentlemen soldiers" and others armed with swords and pistols" who were in immediate attendance on the King, at the number of about three hundred.* The wife of Colonel Hutchinson, implicitly to be trusted as a witness, vouches likewise for the numbers that attended Charles as not less than four hundred armed gentlemen and soldiers.† D'Ewes, who shows the reverse of any wish to exaggerate the circumstances, describes the attendant company as composed of "some officers who served in his Majesty's late army and some other loose persons, to the number of about some four hundred."‡ Yet Clarendon, writing at a time when he had little need to fear contradiction, has the inconceivable assurance to ask even his readers to believe, that it was "*visible to all men* that the King had only with him his Guard of halberdiers, and fewer of them than used to go with him upon any ordinary motion; and that fewer of his gentlemen servants were then with him, than usually attended him when he went but to walk in the park, and had only their little swords!"§

But let us further hear Captain Slingsby on this point, which goes indeed to the root of the matter. Writing to Pennington on the

* *Hist.* lib ii. cap. ii. 21.

† Col. Hutchinson's *Memoirs*, 76.

‡ *Harl. MSS.* 162, f. 306 a. § *Hist.* ii. 137-138.

ton : 6th January.
 Armed guards at Whitehall.
 Terror and trouble of the Citizens.

6th of January,* the second day after the attempted arrest, he makes special mention of "the multitude of gentry and soldiers that had lately flocked to the Court." Never in his life, he remarks, had he seen it so thronged as it then was : and the effect had been to such an extent to terrify the Citizens, that they no longer appeared about Whitehall, from apprehension of the rough entertainment they were like to receive if they came again. But, he says, after thus describing the armed crowds in the King's palace, there had suddenly arisen something to breed expectation of troubles far transcending anything caused by the Westminster Hall tumults ; and then, he continues, "all partes of the Court being thronged with gentlemen

Slingby describes impeachment :

members sitting in House notwithstanding.

* MS. State Paper Office. The letter is dated, in manifest error, the 6th of December. It opens with the subjoined account of the articles of impeachment, as handed in the preceding day. "On Monday last the King's Attorney did impeach the Lord Mandevill, and M^r Pim, Hollis, Strowd, Hamden, & S^r Arthur Haslrigge, of High Treason, in the Upper House. The summe of the articles were subverting the fundamentall lawes, placing subiects in arbitrary & tirannicall government, calling in a forraigne army, endeavouring to draw the King's army from his obedience, depriving the King of his royall power, laying fals aspersions against the King to make him odious, countenancing tumults against the King & Parliament, forcing the Parliament by terror to joyne with them, subverting the rights & very being of Parliaments, praetising to rayse warre & actually rayling warr against the King : This charge was sent downe to the Commons house, who received it with the tearme of a scandalous paper. A Serieant-at-Armes sent likewise to attach them, but was refused. Their closetts by the King's commaund sealed up, but the same night, by order from the House, opened againe : the next day some of them, notwithstanding their impeachment, came and satt in the House."

"and officers of the army, in the afternoon
 "the King WENT WITH THEM ALL, his own
 "Guard, and the Pensioners : " expressly
 adding that by far the most part, among whom he then and there had taken his own place, were "arm'd with swords and pistols." Such was Hyde's innocent party, and their harmless accoutrement, when they set out on this famous expedition !

Peaceful and innocent as they were, however, with their "little swords," as Mr. Hyde ingenuously describes them, in their brief journey from Whitehall they had managed to carry dismay at every step ; and, as they neared Westminster Hall, D'Ewes tell us, "it struck such a fear and terrour into all those that kept shops in the said Hall, or near the gate thereof, as they instantly shut up their shops, looking for nothing but bloodshed and desolation."* Having reached the gate, the armed band formed suddenly into a lane, ranging themselves on either side along the whole length of the Hall ; and Charles, passing through this lane, and entering the door at the south-east angle, ascended the stairs into the Commons' House. His armed company closed up, and as many as could press in crowded after him. The King's command had been, according to Sir Ralph Verney and

* Harl. MSS. 162, f. 310 a.

Lobby of
House of
Commons
suddenly
filled.

Armed
men still
press from
without.

Charles
enters the
House

where
never king
was but
once.

Voice of
Charles
heard as
he enters.

Captain Slingsby, himself one of the company, that the great body should stay in the Hall; but, says D'Ewes, "his Majesty coming into the lobby, a little room just without the House of Commons, divers officers of the late army in the North, and other desperate ruffians, pressed in after him to the number of about four score, besides some of his pensioners." * Captain Slingsby's account quite bears out D'Ewes. "When," he writes, † "we came into Westminster Hall, w^{ch} was thronged with the number, the King commanded us all to stay there; and himselfe, with a small trayne, went into the House of Commons, where never King was (as they say), but once King Henry the Eight."

§ XX. THE HOUSE ENTERED BY THE KING.

WITHIN the House, meanwhile, but a few minutes had elapsed since the Five Members departed, and Mr. Speaker had received instruction to sit still with the mace lying before him, when a loud knock threw open the door, a rush of armed men was heard, and above it (as we learn from Sir Ralph Verney) the voice of the King commanding "upon their lives not to come in." ‡ The moment after, followed only by his nephew Charles, the Prince

* *Harl. MSS.* 162, f. 306 b.

† *MS. State Paper Office.* Slingsby to Pennington, 6 Jan. 1641-2.

‡ *Notes*, p. 139.

Electoꝛ Palatine, Rupert's eldest brother, he entered; but the door was not permitted to be closed behind him. Visible now at the threshold, to all, were the officers and desperadoes above named, of whom, D'Ewes proceeds, "some had left their cloaks in the Hall, and most of them were armed with pistols and swords, and they forcibly kept the door of the House of Commons open, one Captain Hide * standing next the door holding his sword upright in the scabbard: † a picture which Sir Ralph Verney, also present that day in his place, completes by adding that "so the doors were kept open, and the Earl of Roxborough stood within the door, leaning upon it." ‡

As the King entered, all the members rose

* This Captain Hide, who thus, holding his sword upright in its scabbard, signified his and its readiness that day for any desperate deed, was the same David Hide, "a Reformato in the late army against the Scots and now appointed to go in some command into Ireland" (*Rushworth*, part iii. vol. i. 463), who, upon that disastrous day of the Lunsford tumults which had its appropriate issue in the first blood shed in this Great Civil War (that of Sir Richard Wileman, a London Citizen, mortally hurt on the 27th December), took a leading part in the conflict in Westminster Hall, "buffed" against the Citizen in West-apprentices whom the hot Welsh wrath of Archbishop Williams had especially provoked, and, drawing his sword with an oath, said "he'd cut the throats of those Round-headed Dogs that bawled against Bishops:" which passionate expressions of his, *Rushworth* remarks, "as far as I could ever learn, was the first miniting" [minting, or coinage] "of that term or compellation of Roundheads which afterwards grew so general." (See ante, 63, 137). Hide was afterwards cashiered from his Irish command by the House, but he re-appeared in Merrick's Regiment during the Civil War.—appointed.

† *Harl. MSS.* 162, f. 307 a.

‡ *Notes*, p. 139.

Members
rise and
uncover.

A crowd
of bare
faces.

Charles
turns to a
well-
known
seat:

misses Mr.
Pym:

passes up
to Speak-
er's chair:

close by
D'Ewes's
seat.

Stands on
step of
Lenthall's
chair.

and uncovered, and the King also removed his hat; and it would not have been easy, says Rushworth, to discern any of the five members, had they been there, among so many bare faces standing up together. But there was One face, among the Five, which Charles knew too well not to have singled out even there; and hardly had he appeared within the chamber, when it was observed that his glance and his step were turned in the direction of Pym's seat close by the Bar. His intention, baffled by the absence of the popular leader, can only now be guessed at: but, Rushworth adds, "his Majesty, not seeing Mr. Pym there, "knowing him well, went up to the chair."* We all, says D'Ewes, stood up and uncovered our heads, and the Speaker stood up just before his chair. "His Majesty, as he came "up along the House, came the most part of "the way uncovered, also bowing to either "side of the House, and we all bowed again "towards him, and so he went to the Speaker's "chair on the left hand of it, coming up "close by the place where I sat, between the "south end of the Clerk's table and me."† As he approached the chair, Lenthall stepped out to meet him; upon which "he first spake," says D'Ewes, saying, "Mr. Speaker, I must "for a time make bold with your chair."

* *Hist. Coll.* III. i. 477.

† *Harl. MSS.* 162, f. 306 a.

And then the King stepped up to his place and stood upon the step, but sat not down in the chair. And after he had looked a great while, he spoke again.

A break here occurs in the narrative of D'Ewes. His relation for a while is interrupted; and a note afterwards written, and substituted for it, refers us to what was "taken in characters by the Clerk's "assistant." Perhaps the only person wholly quiet and unmoved during the extraordinary scene, unless it were that most impassive of note-takers, Sir Simonds himself, was this lately appointed Clerk's assistant, young Mr. Rushworth, who was observed, as he sat at the Clerk's table, busily taking down the words of the King, as they broke upon the sudden and "awe- "full" silence. His report, drawn out in the evening by command of the King, who had noticed him writing at the table, was published in a broadside next morning, and D'Ewes, finding the King's words therein more exactly given than by himself, makes a reference in his Journal to those parts of it; but his Majesty had directed an omission which D'Ewes is careful to supply in his own record, and only a portion of which (the words spoken by Lenthall) we find Rushworth to have appended in after years to the account

Copy so
corrected
in State
Paper
Office :

a help to
more vivid
reproduc-
tion of the
scene.

The
King's
speech to
the House.

Rush-
worth's
report of
the speech,
corrected
by
Charles.

preserved in his *Collections*.* But, in addition to what is so supplied by the manuscript Journal of D'Ewes, I have been fortunate enough to find, in the State Paper Office, what appears to be the original copy of Rushworth's report of what was said by the King, as taken during the evening to the palace and corrected by Charles; and, though the corrections, trivial in themselves, serve chiefly to show the accuracy with which Rushworth had taken his notes, the erasures yet enable us exactly to mark the characteristic breaks that occurred, and more vividly to reproduce the actual scene.†

"Gentlemen," said Charles, "I am sorry for this occasion of coming unto you. Yesterday I sent a Serjeant-at-Arms upon a very important occasion to apprehend some that by my command were accused of High Treason; whereunto I did expect obedience,

* *Hist. Coll.* III. i. 477-8.

† I subjoin an accurate copy of the portions in which the material corrections or erasures occur, with the latter printed in facsimile :

I must declare unto you here, noe king that ever was in England, shall bee more Carefull (of yo^r priviledges) ^{to} ~~me~~ maintaine them to the uttermost of his power then I shall ^{be} ~~be doer~~ Yet you must know y^e in Cafes of Treason noe person hath a priviledge. And therefore I am come to

"and not a message. And I must declare ^{Expects} ~~unto~~ you here, that albeit no King that ^{traitors to} ~~be de-~~ ever was in England shall be more careful ^{livered up} ~~to him.~~ of your privileges, to maintain them to the uttermost of his power, than I shall be, yet you must know that in cases of Treason

know, if any of those persons that were accused are here.

Then casting his eyes upon all the Members in the House ^{Erasure by} ~~saide, I doe not see any of them; I thinke I should know~~ them. ^{the King.}

For I must tell you Gent^{le} that soe long as those persons that I have accused (for noe slight crime, but for Treason) are here, I cannot expect that this House can bee in the right way, that I doe heartily wish it: Therefore I am come to tell you, that I must have them, wheresoever I finde them.

Then His Mat^{ty} said is Mr. Pym here? to w^{ch} noe Body ^{Enquiry} ~~gave answere.~~ ^{for Pym} ~~also erased.~~

Well, since I see all ^{the} ~~my~~ Birds are flowne I doe expect from you, that you shall send them unto mee as soone as they ^{but assure} ~~returne hither: I must tell~~ you in the word of a king I never did intend any force, but shall proceed ag^t them in a legall & faire way; for I never ^{meant} ~~intended~~ any other.

And now since I see I cannot doe what I came for. I thinke this is noe unfitt occasion to Repeat what I have said formerly that whatsoever I have done in favour, ^{and to the} ~~most~~ good of my subjects I do meane to maintaine it.

Are the Five Members in the House? "no person hath a privilege. And therefore I am come to know if any of these persons that were accused are here."

Then he paused; and casting his eyes upon all the members in the House, said "I do not see any of them. I think I should know them."

"For I must tell you, Gentlemen," he resumed after another pause, "that so long as those persons that I have accused (for no slight crime, but for Treason) are here, I cannot expect that this House will be in the right way that I do heartily wish it. Therefore I am come to tell you that I must have them, wheresoever I find them."

Then again he hesitated, stopped: and called out, "Is Mr. Pym here?" To which nobody gave answer.

The awkwardness and effort manifest in these pauses and interruptions, the words that again and again recur, the needless and bald repetitions, in which we seem to hear the slow and laboured utterance with which Charles covered his natural impediment of speech, impress the imagination painfully.

All the breaks and pauses, however, were omitted in the report directed to be published; and D'Ewes, surmising that not only such omissions had been made by the King's order, but also all mention of the reply given upon Charles's appeal to the Speaker, is careful to restore what was wanting. "But

"the King caused all that to be left out, namely, when he asked for Mr. Pym, whether he were present or not, and when there followed a general silence, that nobody would answer him. He then asked for Mr. Hollis whether he were present, and when nobody answered him, he pressed the Speaker to tell him, who, kneeling down, did very wisely desire his Majesty to pardon him, saying that he could neither see nor speak but by command of the House: to which the King answered, 'Well, well! 'tis no matter. I think my eyes are as good as another's.' And then he looked round about the House a pretty while, to see if he could espie any of them."* Very welcome are all such additional touches to a picture so memorable.

"May it please your Majesty," said Lenthall, to the appeal that he should say where Pym was (for, as Rushworth himself, when he published his *Collections*, inserted his own report of the discreet speech of Mr. Speaker, and as the good Sir Simonds, had he lived to see it, would certainly have copied it in his Journal, it will here be most properly appended to an account which first gives to it all its significance), "I have neither eyes to see nor tongue to speak in this place, but as the House is pleased to direct me, whose servant

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* Harl. MSS. 162, f. 306 a.

Extraordi-
nary
peech for
an ordi-
nary man.

Another
greater
but like
example.

"I am here; and I humbly beg your Majesty's pardon that I cannot give any other answer than this to what your Majesty is pleased to demand of me." Words conceived indeed with a singular prudence. Impressed deeply by the attitude of the House, and inspired suddenly by the trust confided to him, a man little famous for magnanimity or courage displayed both for the moment in a remarkable degree, and rose to the occasion as greatly as the King sank beneath it. But sorrow and suffering are wiser teachers than anger and revenge. There was yet to come a day in Charles's life, when he too would rise to the demand of the time; when his natural infirmities would be visible no longer; and when men should wonder to behold, in one so infirm of purpose and difficult of speech, both unembarrassed accents and a resolute will.*

"Dreadful" silence.

The King conscious of his failure.

After that long pause described by D'Ewes, the dreadful silence, as one member called it, Charles spoke again to the crowd of mute and fullen faces. The complete failure of his scheme was now accomplished, and all its possible consequences, all the suspicions and retaliations to which it had laid him open,

Charles the First's speech at his trial.

* "He had," says William Lilly, "a natural imperfection in his speech: at some times could hardly get out a word: yet at other times he would speak freely and articulately, as at the first time of his coming before the High Court of Justice, where casually I heard him: there he stammered nothing at all, but spoke very distinctly, with much courage and magnanimity."—*Monarchy or no Monarchy*.

appear to have rushed upon his mind. "Well, His birds
"since I see all my* birds are flown, I do flown.
"expect from you that you will send them
"unto me as soon as they return hither.
"But, I assure you, on the word of a King,
"I never did intend any force, but shall pro-
ceed against them in a legal and fair way, Protefts he
"for I never meant any other. And now, never in-
"since I see I cannot do what I came for, I tended
force.
"think this no unfit occasion to repeat what
"I have said formerly, that whatsoever I have Means to
"done in favour, and to the good, of my maintain
"subjects, I do mean to maintain it. I will the con-
"trouble you no more, but tell you I do cessions he
has made.
"expect, as soon as they come to the House, Expects
"you will send them to me; otherwise I must the Five
will be
"take my own course to find them." To sent to
him.
That closing sentence, the note left by Sir Ralph
Verney makes a not unimportant addition,
which, however, appears nowhere in Rush-
worth's report. "For their treason was foul, Declares
"and such an one as they would all thank their
treason
"him to discover."† If uttered, it was an foul.
escape of angry assertion from amid forced
and laboured apologies, and so far would agree
with what D'Ewes observed of his change of
manner at the time: "After he had ended
"his speech, he went out of the House in a Leaves the
House
"more discontented and angry passion than he

* "My" in Rushworth's original note: "the" substituted by Charles.

† Verney's *Notes*, p. 139.

in anger: "came in, going out again between myself
"and the fourth end of the Clerk's table, and
"the Prince Elector after him."*

Captain Slingsby's narrative of the incident. * *Harl. MSS.* 162, f. 306 a. I will here add Capt. Slingsby's account, written the next day but one, but for which of course he must have been indebted to some Royalist members of the House, as he had himself remained outside the lobby. "He came very unexpectedly, and at first coming in, commanded the Speaker to come out of his chayre, and satt downe in it himselfe, asking divers times whether those traytours were there, but had no

Silence of the House explained. "answere: but at last an excuse, that by y^e orders of the House they might not speake when there Speaker was out of his chayre. The King then alkt the Speaker, who excused himselfe, that he might not speake but what the House gave order to him to say: whereupon the King replied it was no matter, for he knew them, if he saw them. And after he had viewed them all, he made a

Determined to have the accused. "speeche to them very maiestically, declaring his resolution to HAVE THEM though they were then absent: promising not to infringe any of their libertyes of parliament, but confounding them to send the traytours to him if they came there againe. And after his coming out he gave order to the

House had sent to City for 4000 men. "Sarieant att Armes to find them out; and attach them. "Before the King's coming, the House were very high, and as I was informed, sent to the Cittie for fower thousand men to be presently sent downe to them for their Guard. "But none came, all the Cittie being terribly amazed with that unexpected charge of those persons: shoppes all shutt, many of w^{ch} doe still continue soe. They lykwise sent to the trayned bandes, in the Court of Guard before White-

Shops all shut. "hall, to commaund them to disband but they stayed still. "After the King had beene in the House, there was no more spoke, but only to adorne till the next day."—MS. State Paper Office. Captain Slingsby to Admiral Pennington, 6th January, 1641-2. To which may be added an extract from a letter, also in the National Collection, written on the same 6th of January by Under Secretary Bere, enclosing Rushworth's report of the King's speech to the Admiral.

Bere to Pennington: 6th Jan. 1641-2. "On Monday last, the King's Attorney accused 5 of the "Lower House & one of the Upper of High Treason "as you will see by the Articles of accusation herewth. "In consequence of w^{ch} a Serg^t of Armes was sent to demand them, but y^e House taking time to consider of it, & having sent a message instead of the delivery, His Ma^{tie} went the next day himselfe in person to y^e Commons House to demand them, as you will see by the inclosed speech. But it seemes

But he did not leave, as he had entered, in silence. Low mutterings of fierce discontent broke out as he passed along, and "many "members cried out aloud, so as he might "hear them, *Privilege! Privilege!*" With those words, ominous of ill, ringing in his ear, he repassed to his palace through the lane, again formed, of his armed adherents, and amid audible shouts of as evil augury from desperadoes disappointed of their prey. Eagerly in that lobby had the word been waited for, which must have been the prelude to a terrible scene. Lady Carlisle alone had prevented it.

§ XXI. IMPRESSION PRODUCED BY THE OUTRAGE.

WHAT briefly followed within the chamber whose most sacred rights had thus been violated by Charles the First, is revealed to us only by D'Ewes. "As soon as "he was gone, and the doors were shut, "the Speaker asked us if he should make "report of his Majesty's speech. But Sir "John Hotham said we had all heard it, and "there needed no report of it to be made.

"they had made themselves out of the way, as they still alsoe Uncertaine, w^{ch} some conceive is but don till the House shall taintly as "resolve what to doe wth them. Others thinke that they are to flight of "actually fled. What will be of it, time must tell. In the members. "meane time this business filled every one wth feares what "might ensue thereon, and the Cittie remained all that night "in armes, and are not yett very well assured, every one "being posselt with strange feares and imaginations."

Cries for
adjourn-
ment.

House
rises at
3.30 p.m.

D'Ewes
describes
the King's
design:

to have
raised a
conflict in
the House.

Details of
the plot.

Entry in
Journals
of the 4th
January,
1641-2.

“ And others cried to adjourn till to-morrow
“ at one of the clock in the afternoon; upon
“ which in the issue we agreed. And so, the
“ Speaker having adjourned the House to
“ that hour, we rose about half an hour after
“ three of the clock in the afternoon: * little
“ imagining for the present—at least a greater
“ part of us—the extreme danger we had
“ escaped through God's wonderful provi-
“ dence.” †

“ For the design was,” pursues Sir Simonds,
writing at the close of his day's Journal, and
before the entry of the morrow, “ to have
“ taken out of our House by force and violence
“ the said five members, if we had refused to
“ have delivered them up peaceably and wil-
“ linglly; which, for the preservation of the
“ privileges of our House, we must have re-
“ fused. And in the taking of them away,
“ they were to have set upon us all, if we had
“ resisted, in an hostile manner. It is very
“ true that the plot was so contrived as that

* The day's entry, as it still stands in the Journals, well
expresses, in its sudden and unfinished abruptness, the agitation
and excitement in which the day must have closed.

“ JAN. 4. P.M. The King came into the House of
Commons and took Mr. Speaker's Chair.

“ Gentlemen I am sorry to have this occasion
to come unto you.
* * * *

“ Resolved upon the question that the House shall
adjourn itself till to-morrow one of the clock.”

† *Harl. MSS.* 162, f. 306 b.

“ the King should have withdrawn out of the
“ House, and passed thorough the lobby or
“ little room next without it, before the mas-
“ sacre should have begun, upon a watchword
“ by him to have been given upon his passing
“ thorough them. But 'tis most likely that
“ those Ruffians, being about eighty in number,
“ who were gotten into the said lobby, being
“ armed all of them with swords, and some of
“ them with pistols ready charged, were so
“ thirsty after innocent blood as they would
“ scarce have stayed the watchword, if those
“ members had been there; but would have
“ begun their violence as soon as they had
“ understood of our denial, to the hazard of
“ the persons of the King and the Prince
“ Elector, as well as of us. For, one of them
“ understanding, a little before the King came
“ out, that those five gentlemen were absent,
“ ‘Zounds!’ said he, ‘They are gone! and
“ ‘we are never the better for our coming!’

“ And the deliverance,” adds D'Ewes, in
this remarkable passage of his Journal, “ will
“ appear to have been the more strange, if we
“ consider how the plot being revealed to one
“ M. Langres, dwelling in the Covent Garden,
“ after the King had taken his coach at White-
“ hall, and was coming toward us, he got
“ through the multitude of those souldiers and
“ ruffians, and coming to the House acquainted
“ Mr. Nathaniel Fiennes with the King's refo-

Armed
despera-
does not
to be
restrained.

The
King's
person in
danger.

Strange
delive-
rance.

King's
approach
told to
Fiennes.

With-
drawal of
the mem-
bers.

Opposi-
tion of
Strode.

Identity of
Strode
with the
earlier
Strode dis-
puted.

Reply to
objections
made :

Original
opinion
strengthen-
ed, not
weakened.

Ages of
the princi-
pal men
of the
Commons.

Mistakes
of Thomas
May.

“ lution. Whereupon Mr. Denzil Hollis, Sir
“ Arthur Haselrig, Mr. Hampden, and Mr.
“ Pym, who had notice also formerly given
“ them that there was such a design, did
“ presently withdraw: but Mr. William Strode,
“ the last of the Five, being a young man and
“ unmarried,* could not be persuaded by his

* I retain the opinion put forth in my Essay on the Grand Remonstrance (*Hist. and Biog. Essays*, i. 1-175) that this expression of D'Ewes, and the language used by Clarendon, are decisive against the identity of the Strode of the parliaments of James and the early parliaments of Charles with the Strode of the Long Parliament. The grounds on which I formed and stated that opinion have since been contested in a book of great ability, and full of valuable matter relative to the Commonwealth period (*Studies and Illustrations of the Great Rebellion*, by J. Langton Sandford, Esq.); but I must be permitted to think that Mr. Sandford's argument, though ingenious and elaborate, is not satisfactory. The gist of it lies in this remark: "William Strode may very well have been under forty in 1642; and this, in the eyes of 'an ancient gentleman' such as D'Ewes, would entitle him to the name of 'a young man'" (p. 399). Unfortunately for the sense in which the argument is used, it tells with the greatest force in the opposite direction. D'Ewes's own age was exactly thirty-nine (he was born in December 1602); and it entitled him to the name of 'an ancient gentleman.' No one acquainted with the social usages and characteristics of that time would for a moment expect that a man of thirty-nine should be styled young. That is a modern style altogether. But, even in our own polite days, a man of thirty-nine would not be likely to single out as a young man a person of his own mature age. Besides, Hollis himself was only forty-four, Hampden was not more than forty-six, Haselrig was some years younger, and from such a company to select and set apart for his youth a man of years so nearly equal, would have been sheer absurdity. Since my attention was first drawn to this "historic doubt," I have observed that the historian May asserts the identity, saying of Strode that he had "before suffered many years of sharp and harsh imprisonment for matters done in parliament" (lib. 2, cap. 2, p. 21), but when he published his *History* in 1647 Strode had been some years dead, and in personal questions May is not always strictly accurate or careful. To give an instance: his account (p. 27) of the Whitehall Guard is inaccurate both as to time and persons. It is not much to

“ friends for a pretty while to go out; but
“ said, that knowing himself to be innocent, he

add to the other proofs, but it may be worth remark that the Contempt same trivial and contemptuous mode of speaking of Strode, in of comparison with the other members, is to be found in the Royalists lampoons of the day. In the verses subjoined, he and Haselrig for Strode. stand in as marked contrast with the rest, even though all be set apart for abuse, as in the page of Clarendon:

“ My venom swells,” quoth Hollis,
“ And that his Majesty knows.”
“ And I,” quoth Hampden, “ fetch the Scots
“ Whence all this mischief grows.”
“ I am an ass,” quoth Haselrigge,
“ But yet I'm deep i' the plot;”
“ And I,” quoth Strode, “ can lye as fast
“ As Master Pym can trot.”
“ But I,” quoth Pym, “ your hackney am,
“ And all your drudgery do,
“ I make good speeches for myself,
“ And privileges for you—”

So, in London's Farewell to the Parliament, the abuse of Varieties Hollis, Hampden, and Pym, is a good solid hate, and it is of Royalist not till Strode's turn comes, that contempt seems to take the slander. place of it:

Farewell Denzil Hollis, with hey, with hey;
Farewell Denzil Hollis, with hoe;
'Twas his ambition or his need,
Not his religion did the deed,
With hey trolly, lolly, loe.
Farewell John Hampden, with hey, with hey;
Farewell John Hampden, with hoe;
He's a sly and subtle fox,
Well read in Buchanan and Knox,
With hey trolly, lolly, loe.
Farewell John Pym, with hey, with hey;
Farewell John Pym, with hoe;
He would have had a place in Court,
And he ventur'd all his partie for't,
With hey trolly, lolly, loe.
Farewell Billy Strode, with hey, with hey;
Farewell Billy Strode, with hoe;

Will seal his innocency with his blood. " would stay in the House though he sealed " his innocency with his blood at the door. " So as, being at last overcome " (D'Ewes gets a little confused in his sentences here) " by " the importunate advices and entreaties of his " friends, when the van, or fore-front, of those " ruffians marched into Westminster Hall: " nay, when no persuasion could prevail with " the said Mr. Strode, Sir Walter Earle, his " entire friend, was faine to take him by cloak, " and pull him out of his place; and so got " him out of the House. 'Tis very true, " indeed, that the Lord Mandeville " (Kimbolton continued to be more familiarly known by his old than by his new title) " and these " five gentlemen had notice not only yesternight " of this intended design, but were likewise " sent to, this day at dinner, by the Earl of " Essex, Lord Chamberlain of his Majesty's " household, that the King intended to come " to the House of Commons to seize upon " them there, and that they should absent " themselves: yet had they no direct assurance " that the said design should certainly be put " in execution, till the said M. Langres his " coming to the said House." *

Sir Walter Earle pulls him out by the cloak.

The accused warned at dinner hour by Essex.

Such was the view taken, such the opinion

He swore all Wharton's lyes were true;
And it concern'd him so to do,
For he was in the saw-pit too—
With hey trolly, lolly, loe.

* *Harl. MSS.* 162, ff. 306 b. 307 a.

uttered, with no public object or design, but as a man communes with himself or his most intimate friend, of the proceedings of this eventful day, by a member of the House who with his own eyes had witnessed them, writing not many hours after the event; and who gave further decisive proof of his sense of the danger which from that day awaited all men who might discharge their duty fearlessly in the House of Commons, by at once arranging his affairs, setting his house in order, and executing his will. "Some," he remarked in a subsequent debate, "have said it were well " for the Parliament men to set their houses " in order, lest they should shortly lose their " heads. For my part, I confess I have not " that work now to do; having ever since " the 4th day of January last past, left my " will with a third person in trust." * The

Unimpassioned character of D'Ewes's testimony.

His sense of danger marked by execution of his will:

and setting his house in order.

* *Harl. MSS.* 163, f. 509 b. D'Ewes is speaking, on the 16th May, 1642, more than five months after the events to which I am referring, of the disputes in Yorkshire which immediately preceded the outbreak of civil war: "Mr. H. Bellasis, Sir R. Pye, and others, moved " that we might think of some way of accommodation. " Others moved that we might prepare to defend ourselves. " I said I was sorry to see things grown to such a height in Parliament-men in peril. " offered the poor freeholders of Yorkshire, I did not hear " that he disavowed those offered his poor Parliament, although " their messages were hissed at when they were read, and " although some said it were well for the parliament men to " set their houses in order lest they should shortly lose their " heads. For my part I confess I have not that work now to " do, having ever since the 4th day of January last past, " the day of the attempted arrest, "left my will with a third " person in trust—(of which," D'Ewes adds with some com-

Question of accommodation with the King.

Isolation
of D'Ewes
from mere
party.

His pre-
cision and
sobriety.

Question
of the
King's
conduct.

Could
have had
but one
purpose.

judgment so formed, too, and the course so taken on the instant, were those of a man not sharing vehemently in any of the popular passions; never admitted to the confidence of the leaders; having a strong personal dislike, as I shall shortly take an opportunity of showing, to some of them; and himself noted for a particular precision and sobriety, as well in his habits of thought as in his ways of life. Nor is it in any degree reasonable to suppose that the King should *not* have resolved to give some sort of effect to his project, having once, however rashly, embarked in it. To have intended merely to go and ask for the members, and, having so invited the refusal which it was obvious would be given, to leave them unmolested in their seats and himself come discomfited away, would have been indeed to add to supreme rashness a supreme silliness. Armed men could have accompanied him for one purpose only, and this was baffled by the absence of the accused: nor was it possible that any one, writing of the occurrence in later times, should have found it reasonably open to any other construction, if upon this, as upon other great questions between the People and the King, Clarendon had not drawn off to a false issue successive generations of readers. Content to have profited by the act if it had succeeded,

placency, "the House took especial notice, as I was fain for a while to stop from farther proceeding)".

it was an act of which the failure was unpardonable: and every one in the confidence of the King became eager to separate himself from it, to speak of it as apart and isolated from other acts to which it was in truth no way contrasted or opposed, to treat it as a sudden frenzy, and altogether to conceal the real object which it aimed at, and, but for an accident unforeseen, and the failure of secret measures here shown to have been daringly attempted, it might have gone far to accomplish.

Compare the tone so taken, after the fact, with what men wrote upon the instant who shared Hyde's opportunities of knowledge, who like him were behind the scenes, but who wrote not to conceal, but to express, the truth. "I pray God this very business," wrote Under Secretary Bere to Admiral Pennington on the 6th of January, "doe not render our condition in Court the worse; for things being now brought to a heighth, they cannot consist soe, but must change to the great prejudice of the one or other side: and I pray God wee find not that we have flattered ourselves wth an imaginary strength and party, in the Citty and elsewhere, w^{ch} will fall away, if need should bee. A report now goes that those persons accused are in London, and some will have itt they are sitting wth the Committee w^{ch} sits there. By

Not the
act but the
failure
unpardon-
able.

Success
narrowly
missed.

Under
Secretary
Bere's
dread as to
ultimate
result.

Change
must be
for the
worse.

Rumours
as to
where-
abouts of
accused.

Worse
storms on
land than
at sea.

"all this, you will see the greate distractions
"that are here: foe that you may well say
"wee have no less stormes here than you have
"att sea—I feare worse and more full of
"danger."*

Circum-
stances
well
known to
Under
Secretary:

That is not the language of a man who regarded the King's act as having sprung from a mere sudden unreasoning impulse of anger, or who desired to underrate its gravity. The writer knew the circumstances too well. He had himself drawn up the warrant, which, but for a merciful accident interposed, might have drenched London streets in the blood of the Citizens. He was perfectly aware of all the preparations made, of all the deliberation used; and his prayer to God is, that they who had taken part therein (of whom he was one) might not find they had flattered themselves with an imaginary strength, in the City and elsewhere, which already was crumbling and falling away beneath them.

His fears
and fore-
bodings.

§ XXII. LORD DIGBY AND MR. HYDE.

NOT of the moderate or conscientious tem-

An invi-
tation for
Christmas
declined.

* MS. State Paper Office. The Under Secretary thus closes his letter: "I humbly thank you for y^e kind invitation
"aboard this Xmas, where I would willingly be, but that I
"may not well bee absent: my businesse growing still more
"and more: yett we have the addition of another fellow
"Secret^y. by name Mr. Oudart, who was Secret^y to S^r John
"Boswell: so y^e y^e labour is very easy, but dispenses not
"with absence."

per of the Under Secretary, however, were those who had advised the King. It is a bare act of justice to say, of other and more active participators in the Royal Councils at this time, that they did not show fear, remorse, or apprehension of any kind. Lord Digby certainly does not seem to have shrunk from the proposal to carry the King's daring attempt, begun that day, to its natural issue. He was willing to take the utmost hazard upon himself, says Hyde; and would have redeemed his failure of promise in the matter of Lord Kimbolton by undertaking, with the congenial help of such gentlemen as Sir Thomas Lunsford, to seize the accused members in the very house in the City where they had taken refuge, and either bring them away alive, or "leave them dead in the place."*

Violent
and reck-
less coun-
sel.

Carrying
attempt to
its issue.

Digby's
proposal:

Elsewhere, too,† the same writer tells us, that, as soon as the failure of the enterprise at the House declared itself, Digby's great spirit was so far from failing, that when he saw the whole City upon the matter in arms to defend the Five Members, he, knowing in what house they were together, offered the King, with a select number of a dozen gentlemen, who he presumed would stick to him, to seize upon their persons dead or alive. And without doubt, adds Clarendon naively, he would

To seize
the Five
Members
dead or
alive.

* Hist. ii. 130.

† Clarendon's *State Papers*. Supplement to third vol. lv-lvi.

have done it, "which must likewise have had
"a wonderful effect."

Mischief
let loose
by King's
act.

Such were the elements of discord and violence let rudely loose by the act of the King; and to comprehend all that follows, to understand even the alarms we have seen expressed by D'Ewes after the King's departure, and what we shall observe hereafter of their sudden, unexplained, and abrupt recurrence, the fact of such mischief being abroad, and such rumours or threats of desperate designs underlying men's ordinary discourse, must still be kept carefully in mind. "The publike voice

Rumours
against
Bristol and
Digby.

"runs much," wrote Bere to Pennington, "against Bristol and his son, as great instruments of these misunderstandings." * With more elaboration, and with allusions that pointed to secret intrigues not less than to frank and open outrage, Mr. Smith of the Admiralty wrote to the King's favourite seaman. He began by telling his "honoured

Small
comfort
for the
Admiral.

"compeer," what grief he feels that his relation of affairs cannot be such as might comfort the Admiral's languishing spirits, as in his latest letter he had described them, turmoiled and almost tired in those tumultuous seas.

Suffering
on waters,
fear on
land.

"You suffer on the waters, we feare on the land." And he proceeded to explain the sources of the fear. "The desires and

"endeav^{rs} of men, especially of such as Rule, Jacob and
"are so diverse, that wee seeme to bee now Esau.
"in this K.dom like to the pregnant wombe
"of Rebecca, which teemes of discourse and
"affections, some labouring to bringe forth
"the Honest Jacob of order, tranquillitie, Two parties out of
"and peace, others the Rough Esau of dis- House:
"cord and ruine." Yet one advantage had
already attended the attempt made on the
House of Commons. It was expected that
in future there would be less disagreement, and
a more general co-operation for the public
good, than before was noted therein. "Wee
"are not," continued Mr. Smith, "altogether but the
"out of hope of a Good Period in regarde leaders
"those y^t rule in Parlem^t are both honest and honest:
"able men. If distractions and confusions
"come, 'twill be from some factious firebrands
"that trouble the Court, abuse his Ma^{tie}, and
"seek to fish in troubled waters; and, through and only
"feare of being rewarded according to their one party
"merit, do labor to bring all things to ruine now in
"with themselves. But the Good God will House.
"not suffer them long thus to divide betwixt
"O^r good King and his People, whom they
"traduce wth false report of Rebellion, where-
"as indeede they are the greatest and only
"Rebells I know in England, and go about Sole rebels
"y^e K.dom raising tumults and false reports in Eng-
"to putt the land into an uproar if they can, land.
"and scandalize the hon^{ble} and just Proceed-

* MS. State Paper Office, January, 1641-2.

"ings of the Parlem^t wth lying and unjust
"imputations."*

This discreet and temperate man, writing thus a few days after the King's attempt, found not more misery occasioned by firebrands such as Digby, than by those more secret agents of confusion who went about creating jealousies and dislikes against the Parliament, of whom it will not be unjust, upon his own account of his own proceedings at the time, to select Hyde as by far the most prominent example. And to understand the position he had in that respect taken up is necessary, in his instance not less than in that of Digby, to a proper comprehension of the sequel of these extraordinary scenes.

Hyde acknowledges,† that, several weeks earlier than the attempted arrest, he had become secretly the King's private counsellor, and had in consequence withdrawn from so frequently or publickly as before taking part in the proceedings of the House. So early as during the Remonstrance Debates, indeed, he was, as in a former work has been shown,‡ supplying the King with resolutions and papers of the House in their first rough draft; and, in many passages of the Memoir written by himself, his *modus operandi* is described in

Open and
secret ene-
mies.

Cause for
this di-
gression.

Hyde the
king's
private
adviser:

Supplies
secret pa-
pers and
informa-
tion.

* MS. State Paper Office. Thos. Smith (from York House) to Admiral Pennington: January, 1641-2.

† *Life*, i. 98-100.

‡ See my *Hist. and Biog. Essays*, i. 142, &c.

detail, entirely without disguise, and even with a chuckling self-satisfaction.* He seems to take an odd kind of pride, in avowing openly the double part he played in the House and in the back scenes of the Court; while he was unscrupulously using his opportunities of obtaining knowledge of the secrets of the popular leaders, for no other purpose than to betray them to the King. Several curious unconscious illustrations of the same double-dealing are recorded also in the Journal of D'Ewes.

When, shortly after these events, Lord

* For example (*Life*, i. 102-3): "And so they (Viscount Falkland, Sir John Colepepper, and Mr. Hyde) met every night late together, & communicated their observations & intelligence of the day; & so agreed what was to be done or attempted the next; there being very many persons of condition & interest in the House who would follow their advice, & assist in anything they desired . . . And after their deliberation together, what was to be put in writing was always committed to Mr. Hyde; and when the King had left the town, he writ as freely to the King as either of the others did . . . and now when the governing party had discovered the place of the nightly meetings, that a Secretary of State and a Chancellor of the Exchequer every day went to the lodging of a private person, who ought to attend them, they believed it a condescension that had some other foundation than mere civility." And in another remarkable passage he says (i. 130-133): "They had long detested and suspected Mr. Hyde, from the time of their first Remonstrance, for framing the King's messages and answers, which they now every day received, to their intolerable vexation: yet knew not how to accuse him. But now that the Earls of Essex and Holland had discovered his being shut up with the King at Greenwich, and Hyde shut the Marquis of Hamilton had once before found him very up with early in private with the King at Windsor, at a time when Charles, the King thought all passages had been stopped; together with his being of late more absent from the House than he had used to be; and the report of the other two every night to his lodging, as is mentioned before; satisfied them that he was the person."

Complaint
of the
King
against
Pym.

Pym's
rejoinder.

Messages
sent before
voted.

The
House
warned
against
treachery.

Letter to
Pym.

Compton, the member for Warwickshire, and Sir Edward Baynton, who sat for Chippenham, had been sent with a message from the House to the King, replying to a complaint against one of Pym's speeches, they reported on their return that they had duly delivered the message, and that the King gave them for an answer that he was altogether unsatisfied that Mr. Pym had any ground for the bold assertion he had made. Whereupon Mr. Pym stood up and said he conceived there needed no further declaration to satisfy his Majesty; and Sir Edward Baynton called the attention of the House to the fact, that such reply from his Majesty was not given upon the sudden, for that, as they gathered from some expressions of the King, "he had seen the said message before they gave it him." * In like manner also, when, some week or two earlier, the famous struggle with the King upon the Newmarket Declaration had been in progress, D'Ewes relates† that "Mr. Pym delivered in a letter directed " to him, superscribed 'John Pym, Esq. at " ' his Lodgings in Westminster,' which had " been found by Simon Richardson and John " Walker, two watchmen of Westminster, in " the Palace Yard. It had no name to it: " but the writer said in y^e beginning of it that " not knowing how to venture safely, he

* Harl. MSS. 163, f. 438 b.

† Ibid 163, f. 246 a.

" had sent him this letter, and caused it to be
" dropped in the street, having done so with
" two formerly: notwithstanding his danger if
" he should be discovered, yet he had adven-
" tured out of love to his country to give him
" timely warning. *That nothing was done in* Able
" *the House, but some able members amongst us* members
" *sent it, as well as all messages intended for* informed
" *him, to his Majesty before they came from us,* against.
" *and sent him also heads ready framed for his*
" *answers.* That the King was resolved to King's
" use force, and that we should find the Navy prepara-
" of England turned against us. That he tions.
" had heard the King say he had the nobility,
" gentry, and divers honest men of his side.
" That the Parliament had irritated the mili- Parlia-
" tary men and denied them employment in ment in
" Ireland, and so prepared swords for their danger.
" own throats."

The contents of the letter it is not necessary further to dwell upon, but circumstances gave to them afterwards much weight; and that Hyde was distinctly aimed at, every one appears to have taken for granted. Means were adopted immediately after to put some check to his opportunities of treachery; but the fact of such secret enemies existing within the House, more dangerous than its open assailants, and suspected strongly while yet the truth was not perfectly established, should avail against any hasty or harsh judgment of the precaution-

Charge
aimed at
Hyde.

Self-defence
against
treachery.

ary and repressive measures which it forced in sheer self-defence upon the leaders.

Hyde accused of
advising
arrest :

That suspicion should have lighted upon Hyde, moreover, as soon as the King's attempt was made, will hardly seem surprising after the secret history that D'Ewes discloses.

Suggestion
of his
friends not
to defend
it.

This suspicion he frankly confesses himself. He tells us* that some friends of his who loved him very well, had warned him that he was pointed at as one of the contrivers of the arrest, all the more certainly because of his known friendship with Digby ; and they had

advised him so to carry himself, in the debates which should arise upon it, that it might evidently appear that he did not approve of it, or was privy to it. Notwithstanding which good advice, he adds in another place, he did speak on a particular occasion in a sense adverse to the claim of parliamentary privilege in matters of treason, though amid noise and clamour, and with wonderful evidence of dislike.† He

Alleged
speech
upon im-
peachment.

even professes to give an abstract of what he said ; and would appear to have said so ill, that, but for the purpose of showing how poor was the strongest case that such an advocate could put against the overwhelming argument on the other side, it would not be necessary to give an abstract of it here. It is only by a persistent

Gross mis-
representation

misrepresentation that he makes out any case at all ; for it cannot be too often repeated that

* *Hist.* ii. 136.

† *Hist.* ii. 138, 139.

never, from the first of these proceedings to the last, was it assumed on the side of the accused members that privilege of Parliament could or ought to run in a case of felony or treason.

On the occasion now pretended (for no circumstance of identification is connected with the speech, and no clue given to when it was spoken, beyond the general statement that it was upon certain votes being proposed "at the

"Committee" to be submitted at the re-assembling at Westminster), Hyde took upon himself to warn the House to take heed that they did not, out of tenderness of their privilege, which was and must be very precious to every man, extend it further than the law would suffer it to be extended ; that the House

had always been very severe upon the breach of any of their privileges, and in the vindicating those members who were injured ; but that the disposing men to make themselves judges, and to rescue themselves or others,

might be of evil consequence, and produce ill effects : at least if it should fall out to be, that the persons were arrested for treason, or felony, or breach of the peace ; in either of which cases, there would be no privilege of Parliament.* All which was as well known to Mr. Pym and Mr. Hampden as to Mr. Hyde, nor was the remotest pretence to assert or

tation
therein.

Pretended
occasion
for speech.

Argument
of speech :

no privi-
lege for
felony or
treason :

undis-
puted by
Pym and
Hampden.

* *Hist.* ii. 138-9.

justify the contrary ever set up by either. They must have scouted such arguments, if employed at all; and the real truth I believe to be, that such a speech was never spoken.

Imputa-
tion
against
leaders of
the Com-
mons.

No proof
existing
that the
speech was
spoken.

Hyde not
in the
House :

Of course it tells extremely well in the History of the Rebellion, that Mr. Hyde, amid noise and clamour, and with wonderful evidence of dislike, should have taken a line of reasoning so manifestly just, that if we believe him to have used it, and that such was the reception given to it, we must attribute to the leaders on the other side, to whom he professes to have been replying, a tone and argument as manifestly *unjust*. It will hereafter be seen more plainly how false such an inference would be. Suffice it for the present to point out that no trace of any such remarks by Hyde, or of his participation in one of the debates arising out of these transactions, is discoverable in any shape or form. From the expressions used it might be assumed, that he was speaking on the Resolution of the House that any one attempting to give effect to the confessed illegality of the Impeachment, by arresting the Members whom it accused, and whom the King, in a subsequent as illegal proclamation, had outlawed, would be guilty of a breach of privilege. But he was certainly not present when that resolution was moved. He seems to wish us to infer, that the speech might have been delivered on one of the days when

the Grocers' Hall Committee were preparing resolutions to be passed on the House re-assembling.* But D'Ewes has carefully reported each day's proceeding of that Committee, without the remotest reference to Hyde.

It was easy, in short, with no record of the debates existing to confront him, to take the credit of having so spoken, and to fling upon the popular leaders the discredit of having forced him so to speak. D'Ewes now enables us to state, however, with an almost absolute certainty, that not even on one occasion did this active member of the House, this incessant and untiring orator against the Remonstrance, speak for or against the proceedings of the 3rd and 4th of January.† His name nowhere appears as having been even present. Culpeper and Falkland, Sir Ralph Hopton and Mr. Herbert Price, noted partizans of the King, are in the list of the Committee appointed to

No evi-
dence that
Hyde took
part in
debates on
arrest.

* It is a very significant circumstance, with reference to the Incon-
doubt thus suggested, that in his text as undoubtedly left by himself
himself (in a fair copy made by his secretary) for publication, in Hyde's
the introduction to the mention of this speech is simply: MS.
"And these votes the House confirmed, when they were
"reported: though in the debate it was told them, &c." It is
only from the notes and additions found by comparison with
one of his additional illustrative papers (lettered B), that the
words to be now quoted in Italics are supplied by the edition
of 1826: "And these votes the House confirmed, when
"they were reported: *which caused some debate, and Mr.*
"Hyde (*notwithstanding the good advice that had been given*
"to him) told them," &c. &c. ii. 139.

† When upon a former occasion Hyde's absence was re-
marked, his friend Falkland had to suggest an excuse for it
(Clarendon's *State Papers*, ii. 141, where the letter, manifestly
belonging to March 1640-41 is placed under 1642): so con-
stant and punctual were his ordinary attendances.

Reasons
for absent-
ing him-
self.

meet in the City; but not Hyde. Many not on the list of the Committee, to which all who came had voices, are yet carefully recorded as taking part in the debates. But no where do we find Hyde's name. He seems to have been so impressed by that advice of the friends who loved him, to be careful not to show any approval of the King's attempt, as for the time to absent himself from the House altogether.

His help
more use-
ful else-
where.

Prudent advice it unquestionably was, and given doubtless by men who not only knew the need for it in the particular case, but, friendly to the King as they were, saw the real issue which his failure had made inevitable, and which Hyde could now better help by other methods than that of public speaking in parliament. It shifted the struggle to other scenes than those it had heretofore occupied. Mr. Hallam is no friendly critic of the popular leaders at this crisis, but he finds himself compelled to admit that the single false step which rendered the King's affairs irretrievable by anything short of civil war, and placed all reconciliation at an insuperable distance, was the attempt to seize the five members within the walls of the House.* Plainly, it was an

Hallam's
view of
impeach-
ment.

* *Const. Hist.* ii. 126 (ed. 1855). "An evident violation," Mr. Hallam adds, "not of common privilege, but of all security for the independent existence of parliament, in the mode of its execution." The passage of his *Monarchy or no Monarchy* (ed. 1651), in which William Lilly expressly records his opinion that the act of the 4th January 1641-2 cost Charles the First his crown, is well worth subjoining for

appeal to force. Both parties felt it, and both instinctively turned in the direction where alone,

the curious facts it contains, and for its incidental corroboration of much that has been adverted to in my text. After remarking William Lilly as to that the result proved that the King had really no evidence against the accused members but his own thoughts, as he himself confessed, he proceeds: "And surely, had it been in his power to have got their bodies, he would have served these members as he did Sir John Eliot, whom without cause he had committed to the Tower, and never would either release him, or show cause of his commitment, till his death. This rash action of the King's lost him his crown. For, as Cost the he was the first of kings that ever, or so imprudently, brake King his the privileges by his entrance into the House of Commons crown. assembled in parliament, so, by that unparalleled demand of his, he utterly lost himself, and left scarce any possibility of reconciliation; he not being willing to trust them, nor they All confi- to trust him, who had so often failed them. It was my dence at fortune that day to dine in Whitehall, and in that room an end. where the Halberts, newly brought from the Tower, were lodged for the use of such as attended the King to the House of Commons. Sir Peter Wich, ere we had fully dined, A dinner came into the room I was in, and brake open the chests party on wherein the arms were, which frightened us all that were day of there. However, one of our company got out of doors, and arrest. presently informed some members that the King was preparing to come in to the House: else I believe all those members, or some of them, would have been taken in the House. All that I could do farther was presently to be gone. But it happened also the same day that some of my neighbours were at the Court of Guard at Whitehall, unto whom I related the King's present design, and con- Belief as jured them to defend the Parliament and members thereof, to outrage in whose well or ill doing consisted our happiness or mis- intended. fortune. They promised assistance, if need were; and I believe, would have stoutly stood to it for defence of the Parliament or members thereof. The King lost his reputation exceedingly by this his improvident and unadvised demand: yet, notwithstanding his failure of success in the attempt, so wilful and obstinate was he, in pursuance of that King's preposterous course he intended, and so desirous to compass obduracy. the bodies of those five members, that the next day he posted and trotted into the City to demand the members there: he convened a meeting at the Guildhall, and the Common Council assembled: but *mum* could he get there; for the word, *London Derry*, was then fresh in every man's mouth." Some years before, against the advice even of Strafford himself, the City of London had been dragged

Impression
to be made
on the
people.

for either, now lay strength and safety. Everything depended hereafter on the impression to be made upon the people, and on the response it might be possible to obtain from the great mass of the inhabitants of London.

§ XXIII. SIR SIMONDS D'EWES AND
SPEAKER LENTHAL.

Further
pause in
narrative
required.

BUT before resuming the course of my narrative, already interrupted by the necessity of interposing the foregoing section, it seems desirable to make further pause for introduction of other matter also of a personal kind, from which not merely the general subject, but the particular scenes in which its striking interest consists, will receive essential illustration. What is soon to pass in debate within the House, or at Guildhall or Grocers' Hall in the City, during those days of excitement following the attempted arrest which wait to be described, will have for its principal authority the Journal of D'Ewes; and while that rich and curious manuscript lies open before me, I propose, before passing to those later scenes, to draw from it some instances and examples in proof of its claim to be received as an authentic record, by which the pecu-

Manu-
script
Diary of
D'Ewes:

into the Star Chamber, and, on the false pretence of some invalidity of a grant by James the First, mulcted not only of their plantation of Derry, but in a heavy fine as well.

liarities both of D'Ewes and Lenthal will be characteristically displayed, and amusing as well as valuable information afforded as to the forms, the usages, the discipline, and the management of the House of Commons,* in these memorable days of its history.

Let me, then, first impress upon the reader (it cannot be done too often or too strongly) that Sir Simonds D'Ewes is really, in regard to all the matters under discussion in these pages, so far a most reliable witness, that his sympathies were never decidedly, or at all actively, with the members accused or any of their more intimate friends. Within certain limits, his strong Puritan opinions, and the deference really felt for, and paid to, his knowledge of precedents and constitutional forms, caused him to act steadily with them; but the more attention he received, the more he was disposed to claim, until, taking literally a half jesting remark made by Sir William Lytton† that really the House could not possibly spare him, he put himself forward so incessantly on every question, embarrassed so many by his pedantic exaggeration of trifling rules and

illustra-
tions to be
drawn
from it.

D'Ewes a
reliable
witness.

Not a
thorough-
going
party
man.

* For others I may be allowed to refer the reader (all repetitions here of matter formerly published being carefully avoided) to the notes to the Essay on the Debates of the Grand Remonstrance in *Hist. and Biog. Essays*, i. 1-175.

† He had been of material service to the member for Hertfordshire in exposing the forged signatures to a royalist petition from that county. See my *Hist. and Biog. Essays*, i. 89.

Differences with the leaders.

Epithets applied to the popular chiefs.

Why more tolerant of Pym.

Pym more tolerant of him.

forms, and spared the House itself so little, that even his extraordinary learning lost its relish, and he fell into sad personal differences with the leaders, even while in hearty agreement with their general policy and aims. Hampden became too "serpentine" and "subtle" for him. Denzil Hollis was too "proud" and "ambitious." Strode was too much of a "firebrand" and "notable profaner of the Scriptures," and had "too hot a tongue." Glyn also was a "swearing profane fellow." Haselrig was too "violent." Harry Marten was a "fiery heathen," and had a too "scurilous" and windy wit." With a sneer, in like manner, he qualifies an attack upon the impetuosity of Nathaniel Fiennes, "though he hath amongst "his other good parts an able voice." And if he does not use the same tone or apply similar epithets to Pym (all now quoted were applied within a very few weeks of the incidents in this narrative, for, at a later time, he used even less scrupulous speech), it is because that great popular leader, with a profound knowledge of the strength of his party, had also a wise deference for the weaknesses and vanity of individual members of it, and was always ready with the concession that substantially yielded nothing, while it softened anger, quieted fears, and was soothing to self-esteem.

To take one instance out of many, which will

also show the personal position in which D'Ewes generally stood to the party with whom commonly he acted, I give his account of an incident, full of character, which arose out of the discussion of one of the answers to a message of the King in the course of the present differences. Pym had drawn up the answer, and some expressions in it were strongly objected to by Mr. John Vaughan, the Royalist member for Cardigan, when suddenly it occurred to D'Ewes that there might be something in the objection so taken.

"Mr. Pym read the Answer, or Declaration, to his Majesty's message. Divers called to have it put to the question, but Mr. Vaughan stood up and desired us to consider well two things in it: 1. the King's raising of men to be to the terror of his people; 2. where we said we would not obey his Commissioners. Mr. Pym answered him somewhat superficially" (D'Ewes means, in the literal sense of the word, that Pym spoke cursorily or slightly), "and yet divers called to put the Declaration to the question: which made me, just as the Speaker was standing up to put the question, to say"—urging thereon more strongly Mr. Vaughan's objection. "As I was proceeding," he resumes, "some indiscreet and violent spirits interrupted me, and called—to the Question! Whom the

Discussion upon answers to a royal message.

Objection taken by Royalist members.

D'Ewes supports objection.

Is assailed by violent spirits.

Perfists in
spite of
them.

"Speaker having first reproved, I went on." The worthy Baronet very decidedly expressed himself, in short, in favour of moderate and conciliatory speech. "It concerned us much to weigh all our expressions, and not leave the kingdom without all hope or possibility of an accomodation between his Majesty and us, lest so we precipitate things into speedy confusion. After I had done Mr. Peard stood up, and did with great vehemency reprove those indiscreet and foolish members who had interrupted me first: showing breach of privilege, &c. When I sat down, many discreet and sober members called on me still to speak and go on. And Mr. Pym also, who had made report of the said Declaration, did with much discretion and modesty approve what I had spoken, and coming himself to the Clerk's table, did amend the said Declaration according to the advice I had given." (It involved little beyond the change of a few letters.) "Which being read was approved of, and those indiscreet spirits that interrupted me had not a word to say against it."*

Receives
encour-
agement.

Pym's
"discre-
tion and
modesty:"

adopts
the amend-
ment.

Mr. Strode
less civil:

On the other hand observe the conduct of that "firebrand" Mr. Strode, on a precisely similar occasion, when what is called the Newmarket Declaration was under discussion. "Divers," says D'Ewes, "spake after me;

* *Harl. MSS.* 163, f. 467 b. Another similar instance

"and Mr. William Strode, having spoken twice before, stood up and spake the third time, and related the same matter in substance; which made me stand up and speak to the order of the house and interrupt him, &c. He sat down, and divers laughed, and some spake after him."*

speaks
thrice:

and gets
laughed
at.

Generally it is to be remarked, upon all these scenes, much to the credit of the House, that the moderation and temper of D'Ewes, when discreetly put forward, seems hardly ever to have failed of its effect. When the Declaration was under discussion, in which, upon intelligence received of the schemes set on foot for raising money abroad, some very plain truths were addressed to the King, he interfered, almost as zealously as Sir Ralph Hopton, and much more successfully, to obtain abatement of some of its terms. He had left the House between four and five o'clock that afternoon,† while the debate was in progress, and on his return between five and six he found Sir Ralph withdrawn into the committee chamber, and the

Good
humour of
the House.

Moderation
of
D'Ewes.

will be found of a moderating expression moved by Pym and seconded by D'Ewes, *Ibid* 163, f. 518 b.

* *Harl. MSS.* 163, f. 431 a.

† In a characteristic entry of earlier date, D'Ewes lets us into the secret of these retreats from the House during the afternoon hours of a long debate. "I returned into the House," he says, "between 5 and 6 o'clock at night, and it was my good fortune that I withdrew so seasonably With-
"between 2 and 3 as I did, having by that means freedom drawing
"for some hours, and convenience of supping in time, and on for
"my return I heard almost the whole matter debated over supper.
"again." *Harl. MSS.* 162, f. 354 b.

Proposed
censure of
Sir Ralph
Hopton.

Pope
soliciting
help
against
English
Parlia-
ment.

King
accused of
Popish
designs.

Too many
grounds
for such
imputa-
tion.

English
politics at
Rome.

Letter to
Hyde from
brother-
in-law.

House in sharp debate what censure to lay upon him. "The words he had spoken were occasioned on the reading of that part of the Declaration which showed that the Pope's Nuncio had solicited the Kings of France and Spain to send each of them 4000*l.* to his Majesty against the Parliament, and that we did believe his Majesty could not give ear to such counsels unless he meant to change his religion. Upon which the said Sir Ralph Hopton stood up and spake very vehemently against the said article, saying, amongst other particulars, that we did thereby charge the King with apostacy.*

* Clarendon refers to this incident, and says that Hopton charged the House with accusing the King of designs favourable to Popery on evidence that would not hang a constable. But, to say nothing of the letters found after Naseby, all that has since been discovered of the secret purposes and desperate expedients resorted to by Charles the First, tends directly to show how thoroughly well informed, though unable always to give up their informants, the leaders of the House of Commons were. As to Charles's undoubted negotiations for the procuring foreign help against the Parliament on condition of special cessions to the Roman Catholic faith, see my *Essays*, i. 75-6. Let me add that there is a very curious letter in the Clarendon *State Papers* (ii. 141-2) which may be quoted, not only in aid of what has been said (ante, 32 and 49) of the suspicion of Secretary Windebank's illegal practices in favour of the Roman Catholic religion, but in proof of the interest with which English politics were now regarded in Rome, and of the prudent and somewhat ominous reserve which, precisely at the very date of the incident described in my text, had fallen suddenly on the Pope's nephew and one of the leading Cardinals, otherwise accustomed, as it would seem, largely to indulge in garrulity about England. Writing, to his brother-in-law Hyde, from Rome at the close of March 1642, Mr. Aylesbury says: "The last week, we came from Naples; where we met with an English Franciscan Friar, called Father Morton; who used us exceeding civilly, and has a

"After which, though he explained himself, Hopton's offence.
"and acknowledged his fault to proceed from
"his mistake, yet the House would not rest
"satisfied, but caused him to withdraw."*
When D'Ewes entered, Sir Henry Herbert, the member for Bewdley, was speaking in mitigation of his offence (against a proposition for disabling him which the member for Bletchingly, Sir John Evelyn, had started), and in favour of the more moderate suggestion that he should be permitted to purge his fault by a few days lodgment in the Tower. Such cen-

"great mind to go into England to accuse Secr^y Windebank
"of greater matters than the parliament ever laid to his
"charge. I assure you the discourse he makes of him is
"very good sport; and in these sad times I could wish you
"had him amongst you to make you merry. At Rome there
"are graver gentlemen; but I understand nothing of them
"but their civility, which is as much as can be imagined.
"Indeed, from the highest to the lowest, they are all so. The
"other day we were with the Cardinal Francesco Barberino,
"the Pope's nephew, and had a long audience of him, but
"not a word of England, though I sought all I could to put
"him into that discourse of which he is very well informed,
"and at other times liberal enough. For, Sir Walter Pye
"having been with him some days before, all his discourse
"was to persuade him that the troubles of England and
"Ireland have never been fomented by any of the Pope's
"ministers: and that they all wished the flourishing estate of
"our country. Besides, he made particular mention to him has not
"of Mr. Pym, Mr. Hampden, Mr. Hollis, and some others." fomented
What sort of "particular mention" Pym and Hampden are English
likely to have attracted to themselves in the halls and council troubles.
chambers of the Vatican, it would not be difficult to imagine;
and he must have been a very clever Cardinal indeed if he
managed to impress any English traveller with the belief that
he, one of the highest dignitaries of the Roman Catholic Church, took an impartial interest in the welfare of those
famous members of the English Commons. The reference, Pym and
however, is at least remarkable. His "inter-
Hampden.

* *Harl. MSS.* 163, f. 410 a.-414 b.

D'Ewes's
speech in
mitiga-
tion.

Inter-
rupted by
the hot
spirits.

Appeals
to order.

His sug-
gestion
adopted
by House.

fures being very much matter of precedent, Sir Simonds at once plunged into the debate, and claimed hearing from the Speaker. But Sir John Evelyn was so loudly called for, that D'Ewes was fain, after beginning his speech, to give way. "After Sir John sat down," he proceeds, "I stood up to continue my former speech where I left off; but some violent spirits, whom otherwise I esteemed very honest men, fearing that by my speaking I might prevent the putting of the question for disabling Sir Ralph, which I did, would fain have interrupted me, crying out He hath spoken! he hath spoken! But they, being soon ashamed of the breach of the order of the House and their own violence, became silent and I proceeded, showing that indeed my very worthy friend on the other side (and here I pointed to Sir John Evelyn) did break the order of the House in interrupting me after I had begun."

The result of Sir Simonds's interference was the more moderate course of sending Hopton to the Tower; and when Sir Walter Earle, upon this, moved that Sir Ralph should not be enlarged but in a full House, D'Ewes sensibly pointed out what injustice this vague expression might involve, and induced the majority to consent to receive the petition for release on any day when tendered, provided always it was between the hours of two and

four o'clock. He then goes on to say, that, the original debate on the Declaration having been resumed, he objected himself to expressions in it, "condemning them almost as much as Sir R. Hopton had done, but with better success, for amendment ensued on my motion." Still he was not satisfied; and when, on the following day, it was finished and passed upon the question, he adds: "many particulars continuing in it, full of irritating and rigid expressions to his Majesty concerning his own words and actions, which I utterly disliked: for we might have declared the whole and naked truth as well in reverential and humble words, as in so high and asperous terms."*

Upon another occasion, however, he found himself less decidedly in sympathy with that ardent royalist, "Hopton of the West," and

* *Harl. MSS.* 163, f. 414 b. On that same day so remarkable an entry appears also in D'Ewes's Journal, carrying with it such marks of generous consideration on the part of the House to the memory of a great opponent, that the reader will thank me for subjoining it. "Upon Mr. Denzil Hollis's motion it was ordered that the young Earl Strafford, being some fifteen years old, being nephew to the said Mr. Hollis, being his sister's son, and whom the King by letters patent created Earl Strafford since the attainder of his father, should continue his troop in Ireland and receive his pay thereof, though he were not there present: the said Mr. Hollis undertaking to see his absence properly supplied." It is curious that the order which rendered this special application necessary, was one introduced under the government of the young man's father, the great Earl; who resisted nothing more strongly in Ireland than the abuse of absenteeism and non-residence in every possible form, whether it were in the captains of regiments or the proprietors of estates.

Sir Edward Dering's published speeches.

D'Ewes's indignation thereat.

Would have Dering expelled.

Denounces his vain-glorious preface.

by no means disposed to mitigate punishment to an offending member. This was when Sir Edward Dering, in less than a month after the arrest of the members, had printed his speeches against the Grand Remonstrance, with a preface so ill-judged and indiscreet, remarking upon members of the House and otherwise scandalizing its orders of debate, that opportunity was taken to vote his expulsion. The proposal found an ardent supporter in D'Ewes. He had no mercy for any one who departed from precedent, violated old usage, or committed breaches of parliamentary decorum; and, entering the House just as the debate began, and finding attempts made to evade the motion by no sharper censure than the Tower, he tells us that he lost all patience.

"After I had heard divers speak," he says, "and saw a great part of the House begin to incline to inflict no other punishment on him than sending him to the Tower, I was very much troubled at it; especially when Sir R. Hopton said that we might retain him *because of his great parts*." At this, unable to contain himself any longer, he started up; detailed the offences of the book; denounced the presumption of the author; described him so overvaluing himself in his "most scandalous, seditious, and vain-glorious performance," as if he had been able of himself to weigh down the balance of that House

on either side when he pleased; pointed out the evil consequence of printing such arguments, without allusion to the answers made thereto; dwelt upon the outrage to the freedom of debate as unpardonable, seeing that he had therein discovered the secrets of the House, had discredited the acts of the House, and had named members of the House (among them Mr. O. C. by which the member for Cambridge was plainly intended) to their disgrace; and he concluded by declaring that if he himself, member for Sudbury, should ever be so unfortunate as to offend that assembly in so high a nature, he would rather hide himself for ever in a cell than enter again within those walls! "As soon," he continues, "as I had spoken, having delivered myself with some vehemence, the Speaker said presently to some about his Chair, 'You may see, now, what Sir Edward Dering's friends have procured him, by endeavouring to have a small censure passed upon him.'"^{*} The tide had turned against Sir Edward. The determination became strong, not only to expel the writer, but to put a mark of opprobrium on the book; and though D'Ewes sensibly resisted Sir Walter Earle's motion for "calling it in," on the ground that such a proceeding would raise the price of it from fourteen pence to

Dering's attack upon the House.

Mr. O. C. libelled.

Mr. Speaker compliments D'Ewes.

Objection to suppression of a book.

^{*} Harl. MSS. 162, f. 366 b.

will raise
value from
fourteen
pence to
fourteen
shillings.

Dering
expelled
and his
book
burnt.

fourteen shillings, and hasten a new impression,* he did not oppose Mr. Oliver Cromwell's suggestion for remitting it to the hands of the common hangman. It was, by a majority of 85 to 61, ordered to be burnt in Palace Yard, Cheapside, and Smithfield, on the Friday following. Dering was expelled; and a warrant issued for a writ for Kent to choose a new knight.

Between that day and the next, however, a doubt seems to have occurred to the honorable member for Cambridge whether to burn a book were quite the best way of answering any dangerous matter contained in it; and D'Ewes relates accordingly what took place near the close of the sitting on the following day.†

A sugges-
tion from
Mr. Oliver
Cromwell.

"Mr. Oliver Cromwell," he says, "moved that Sir E. Dering's book, lately set out by him, had many dangerous and scandalous passages in it, by which many must be deceived and led into an ill opinion concerning the proceedings of this House; and therefore desired that some able member of the House might be appointed to make a short confutation of the same. And then he nominated Me. Which made me presently stand up and answer, that I conceived that the gentleman who last spoke did not dream

Will
D'Ewes
answer
Dering?

* This passage of the debate was referred to in my *Hist. and Biog. Essays*, i. 89, but the details here given have not before been presented. † *Harl. MSS.* 162, f. 368 a.

"that it was now near 7 of the clock at night, or else that he would not at this time have made such a motion as he did: for, if I could but gain some spare time from the public service of the House, I have other things to print, of more public use and benefit than the confutation of Sir E. Dering's speech could be: and therefore I desired that the gentleman himself who made the motion, might be desired to undertake the task. The Speaker then desired that I would print that, that would be for the public good." And with this polite intimation from Mr. Speaker, unseconded by any eagerness on Mr. Cromwell's part to assume himself the literary labour he would have imposed on D'Ewes, the subject dropped.

D'Ewes
declines:
has better
things
to do.

Might
not Mr.
Cromwell
do it?

It will not be out of place to connect with it, and the illustrations formerly given of the general trustworthiness, as well as temperate and moderate spirit, of a man to whose manuscript record of the events under notice this narrative has been, and will be, so largely indebted, further and very striking proof of his independent honesty and conscientiousness in regard to his Journal. It is this in truth which gives it a character of accuracy and original authority that none of the many other existing MS. journals of this time, which on examination turn out to be, for the most part, mere transcripts from the official records of the House, can in

Other
proofs of
D'Ewes's
accuracy.

Original-
ity of his
Journal.

Hollis
would
alter a
message
voted.

the least lay claim to. In the midst of the events under notice, when a message had been voted, late one evening, to the King, Denzil Hollis brought it again before the House the following morning, with a view to an alteration in the wording which he desired to suggest.

The mes-
sage
already
printed.

Who
copies
nightly
from
Clerk's
Journals?

Falkland
and two
others.

But not
D'Ewes:
he reports
"out of
his head:"

"But," D'Ewes continues, "Sir Guy Palmes said he did not know how it could well be ordered, because the votes were already printed. Thereupon some thought that the clerk or his men had given it out: others that it might be transcribed by some of the House. So the clerk was asked who did constantly write out of his Journal Book every night after the House was risen; and he said the Lord Falkland only (who had lately been made principal Secretary). Then they asked him who, also, did sometimes write out of the said Journal Book, or were present; and he said, Mr. Moore and Mr. Bodvill did often write out of the same, and that myself was sometimes present. But I, mistaking him, and conceiving that he ranked me amongst the transcribers (who scarcely wrote 3 words out of his Journal Book in 3 months), was very angry with him, and stood up and said, that I was indeed often present when others transcribed out of the said Journal, but did myself write *not out of that but out of my head*: and therefore I desired that the clerk might name the

"time when I transcribed anything out of his Journal. With which the house resting satisfied, as I conceived, I troubled myself no further about it. But Mr. H. Elsyng, the clerk, came to me in Westminster Hall after we were risen, and expressed a great deal of sorrow that I did mistake him; that he only named me as being present, and the rather that I could prove what he said." *

An incident highly characteristic of D'Ewes, which occurred on the next following day, completes the picture of our learned and careful reporter, zealous for the originality of his notes, sensible of the power derived from exercise of such an art, and resolved to abate no jot of the influence it gave him. A delicate matter coming under debate (being nothing less than information, submitted by Pym, of tamperings on the part of the Court with foreign powers, for the lending an army, if need should be, to put down the liberties of England) some members arose, in much excitement, to suggest that the debate be adjourned for a day, and that no one meanwhile be permitted to take notes. "Stop note-taking!" cried D'Ewes.† "You cannot! Or, if you can, make men hold their tongues, then, as well!"

Such being the recognized position of D'Ewes in the House, and his admitted authority in everything connected with its usages

* *Harl. MSS.* 163, f. 430 a.

† *Ib.* 163, f. 432 b.

Relations
of D'Ewes
to Lenthall:

his author-
ity in pre-
cedents : and the precedents of former times, he was naturally brought into frequent relations with the Speaker; and whether Lenthal found it more oppressive to submit to his critical objurgations, or to enjoy the advantage of his condescending patronage, it might be difficult to say. There is, however, hardly a week's entry in his Journal that does not present him in one or other of these positions; and if nothing were known of Lenthal but the noble words we have seen him use on a sudden and great emergency, we might well be disposed to reject as incredible the impression which D'Ewes steadily conveys, that he was a timid, restless, indecisive, ill-informed, and ill-conditioned man. Unhappily this impression is too well borne out by what otherwise is known of his life, and by what already this narrative has disclosed.* We know that this was the man who, violating the principle laid down by himself on that memorable 4th of January, and flinging scorn and disrepute on the only act by which in history he is honorably remembered, actually had the baseness, at the Restoration, to give evidence against Scot the regicide of words which he had heard within the House when sitting in the Speaker's chair!† When Lenthal is credited, therefore,

Contrast
to Lenthal. * *Ante*, 22, 25.
† *State Trials*, v. 1063. As a contrast let me mention, in justice to the Earl of Northumberland, whose conduct throughout these affairs seems to me to have been unworthy of his abilities

critic and
patron of
Mr.
Speaker.

Weak-
nesses of
Lenthal.

Self-sur-
render of
his only
claim to
respect.

A witness
against
Scot the
regicide.

with qualities generally poor and commonplace, we may be only too well assured that the facts alleged will justify the charge. Such evidence <sup>A time-
server al-
ways.</sup> abounds in every part of D'Ewes's Journal, and proves beyond all doubt, quite irrespective of the special proof given in a previous section of his eager desire at this time to offer servile homage to the King, that what he showed himself unmistakeably to be in later years, he now already was, and was known to be. And I gladly seize the opportunity of adding, to what was remarked upon the subject in a former work,* other traits and incidents relating to him from D'Ewes's curious <sup>Traits and
incidents
from
D'Ewes's
diary.</sup> manuscript, not merely characteristic and amusing in themselves, but such as, besides completing what was formerly said, will also help further to show D'Ewes's own position in reference to parties in the House.

A debate arose upon a question of privilege: a person having been arrested, after order <sup>Question
of privi-
lege.</sup> had issued from the House that he should be

and his name, that when, upon the Restoration, he consented, Northum-
like Lenthal, to receive favour from the Government, it was berland
by no such base betrayal of acts and proceedings in which he true to old
had himself been a participator. Ludlow tells us in his friends.
Memoirs that Lord Northumberland (who had taken the oath
of fidelity to the Commonwealth) was heard to say in the
Convention Parliament at the Restoration, that though he had
no part in the death of the King, *he was against questioning* <sup>An exam-
those who had been concerned in that affair, that the example</sup>
might be more useful to posterity, and profitable to future Kings. <sup>ple profit-
able to
Kings.</sup>
by deterring them from the like exorbitancies. iii. 10, ed. 1699.

* *Hist. and Biog. Essays* (Debates on the Grand Remon-
strance), i. 82, 83, &c.

Hafelrig
and Lenthal.

Attack
on Mr.
Speaker.

D'Ewes
rebukes
Hafelrig.

Lenthal
out of
order.

sent for as a witness. "When," says D'Ewes, "some spake to the case, and mistook it, and" "the Speaker would have informed them of" "the case how it stood, Sir A. Hafelrig spake" "to the order of the House, and said that the" "Speaker ought not to stand up and interrupt" "any other member of the House when he" "was speaking. Whereupon the Speaker" "stood up and answered Sir Arthur Hafelrig" "that he had not stood up to interrupt any" "member, but only to inform such as should" "speak of the truth of the case. But Sir" "A. H. not satisfied herewith, stood up" "again: saying he would speak to the order" "of the House, and under colour thereof" "endeavoured to reply to the Speaker, and to" "get said over again the same thing: which" "made me interrupt him, though I much" "respected him." He accordingly, with deference, but very decidedly, rebukes "that worthy gentleman in the Gallery," who, upon D'Ewes resuming his seat, "would have spoken" "again to the order of the House; but the" "House, it seems, being satisfied with what I" "said, would not hear him again."*

That was a great triumph for Sir Simonds, if not for Lenthal; but, upon a subsequent question of order and usage, Mr. Speaker himself seems to have been permitted to violate all precedent. Soon afterwards there occurred a

* *Harl. MSS.* 163 f. 405 b.

debate, very stiffly maintained on both sides, about the custom to be imposed on sugar. ^{Sugar-duties' debate.} D'Ewes was the last speaker, and sat down with a solemn warning to the House that they should be wary of offending the Hollanders with such an impost. "Between which time" "and the putting of the question itself," he continues, "some members came into the" "House, and some called on them to with- ^{Members entering just before question put.} draw; and thereupon grew a debate, whether" "by the order of the House they should with- draw or not: and in the issue it was" "observed that regularly no member of the" "House could be commanded to withdraw, ^{Not to withdraw.} but when he came in after the question" "had been put the first time." But the extraordinary thing was, D'Ewes concludes, that upon going to the division, the Speaker not only claimed to vote, but actually voted, "the" "like of which I never knew before or since."*

Again, shortly after, occurred another instance of Mr. Speaker forgetting the dignity of his place. It arose out of Sir John Holland, the member for Castle Rising, objecting to the amount of the parliamentary levy on his county. "Sir John Holland," says D'Ewes, "a Norfolk man, seemingly anxious to show ^{Extraordinary proceeding of Mr. Speaker.} his forwardness for the county, said he was" "informed that Norfolk would not pay the" ^{Lenthal again at fault.}

* *Harl. MSS.* 163, f. 429 b.

An hon.
member
inter-
rupted.

Hon.
member
retorts.

Mr.
Speaker
succumbs.

D'Ewes's
indigna-
tion.

Lenthal's
deficien-
cies as
Speaker.

"sum laid on them by the £400,000 bill,
"except some abatement; and that if any dif-
"temper arose in Norfolk, it would be paid
"nowhere in England. Whereupon the
"Speaker stood up and interrupted him, and
"said such words were very dangerous and
"not fit to be spoken. But Sir J. H. stood
"up to justify himself, and averred that he
"only said he was informed so, and claimed
"the privilege of a member not to be inter-
"rupted, &c. Whereupon the Speaker, for-
"getting the dignity of his place, and deserting
"the just ground that was given him to
"interrupt him, gave some approbation to
"what he had said, and sat him down. So
"as Sir John Holland was proceeding on as
"if he had done very well before, which
"made me, with some indignation to see the
"Speaker's miscarriage, stand up and speak to
"the order of the House."* Here, beyond
all doubt, was another decided success for
D'Ewes; and the House loudly, and very pro-
perly, applauded him for thus vindicating Mr.
Speaker, though against Mr. Speaker himself.

But, even in the trivial duties and observances
of his place, Lenthal was by no means expert.
Some letters having been handed in to the
Speaker, and among them one from the King,
he gave it to the Clerk of the House, "who,"

* Harl. MSS. 163, f. 461 a.

says D'Ewes, "having read the superscription
"Charles Rex, I stood up and reminded the
"Speaker that he was to read such letters
"himself: on which he acknowledged his
"error, and read it." It came at last, indeed,
to be very generally understood that the
member for Sudbury, and not the Speaker, was
the man to settle questions of order, and to
compose jarring discords in debate.* A curious
instance occurred when Sir Henry Mildmay,
the member for Malden, who sat afterwards
on the trial of the King, would have obtained
consent from the House to a bill for trade
which threatened to interfere mightily with
the Coventry weavers; whereupon Mr. William
Jeffson, an ancient alderman of that borough
who very worthily represented it, started up with
much heat and "spoke very earnestly against
"such a bill, saying that by so doing we would
"destroy the whole trade of the kingdom.
"Whereupon Sir H. Mildmay took excep-
"tion, affirming that the said Mr. Jeffson
"had looked very fiercely upon him when he

A letter
from the
King.

D'Ewes
the great
authority
as to order:

composer
of dif-
cords in
debate.

Heat of
ancient
burgess
for Coven-
try.

* Other duties appear at times to have been imposed which D'Ewes he took upon himself with less relish. The following may serve avoids as an example: "Between 4 and 5 the House resolved into a chair of
"Grand Committee on Tonnage: and when the Speaker Com-
"withdrew, and most of the House with him, some to mittee.
"Committees, and some clean away, so as we were scarce 40
"left, divers called on me to sit in the chair at the Committee.
"So as, fearing that I should not have excused myself, I with-
"drew out of the House, and after Mr. Ellis had taken the
"said chair, I returned again. The bill passed, and we rose
"between 5 and 6." Harl. MSS. 162, f. 357 a.

Fierce and unparliamentary looks: "spoke, and that it was done in an unparliamentary way." Here was a novel case! and it must be confessed that D'Ewes, on appeal

D'Ewes's opinion thereon.

Ancient member again.

Vote for allegiance to Parliamentary general.

Disliked by D'Ewes.

being made to him, treated it more sensibly than might have been expected. Desiring to qualify, as he says, such unnecessary heat, he declared that in all his knowledge of these matters he never knew exception taken at looks before; and, with some further goodnatured words, he perfectly reconciled the offended knight and too choleric ancient burgeses.*

It fared not so well, however, with the good old member for Coventry some few months later, when, upon the unfurling of the Royal standard at Nottingham "about six of the clock in the evening of a very stormy and tempestuous day," † the House of Commons promptly met the King's proclamation against Lord Essex as a traitor, by a vote calling upon every member to answer individually, upon the instant, whether he would venture and hazard his life and fortune with the Earl of Essex, Lord General. D'Ewes regarded this vote with little favour, and dwells upon the harsh way in which it was pressed by the "fiery spirits" who had introduced it: wherein, he adds, they were seconded, in a manner un-

* Harl. MSS. 163, f. 502 a.

† "The standard," Clarendon subsequently tells us (*Hist.* iii. 190), "was blown down the same night it had been set up, by a very strong and unruly wind."

worthy of himself and contrary to the duty of his place, by Mr. Speaker. "And whereas Required to say Aye. "one Mr. Jeffon, one of the burgeses for Coventry, being an ancient man, did only desire a little time to consider of it before he gave his answer, they would not permit that, but compelled him to answer presently, whereupon he, not being satisfied in his conscience, gave his No. At which those hot Says No. spirits taking great distaste, the Speaker, unworthy of himself and contrary to the duty of his place, fell upon him with very Affailed by Mr. Speaker. strange language for giving his No; and when the poor man, terrified with the displeasure he saw was taken against him, would have given his Aye, they would not permit him to do that neither. Sir Guy Palmes, Wishes to say Aye: but not permitted. and Mr. Fettyplace" (the members for Rutlandshire and Berkshire, both of them declared Royalists) "were so overawed by Mr. Other members frightened. Jeffon's misfortune as they answered Aye without any further debate; and so did many others who came dropping in from dinner, not knowing what had been done and was doing in the House." *

Nor had the scene been less striking some three months earlier (little more than six weeks after the attempted arrest), when, amid the war of declarations and replies that preceded the unfurling of the standards, Sir Peter Wentworth

* Harl. MSS. 164, f. 1060 b.

Sir Peter Wentworth: (who sat for Tamworth, and afterwards on the High Court of Justice) took the occasion of a particular message from Charles to say "that

cannot trust the King. "we could not confide in the King nor trust him: " which made Sir John Culpeper, Chancellor

of the Exchequer, who sat near him, rise up " and say that he wondered that any man " should dare to speak such language within " these walls—*That we could not confide in the*

Chancellor of Exchequer's horror. " *King!*" Considerable excitement ensued, D'Ewes proceeds to tell us, but Sir Peter's plain speaking having found several backers, he was permitted to explain himself. "And " so the House passed by his folly."

House overlooks this "folly."

Old Sir Harry Vane.

Startling speeches.

Sir John Northcote's avowal.

But then followed an incident well worthy record in itself, and having a highly characteristic sequel with D'Ewes for its hero. Old Vane, who so long had served the highest offices of state, had signalised himself, since his loss of Court favour and public employment,* by displaying in opposition all the caution and prudence which accompany the expectation of being restored to power. But, in a speech he delivered on the present occasion, this reserve was flung aside. He showed that things were come to a desperate condition. In a previous debate on the Custody of the young Prince of Wales, very startling allusions had been made. Sir John Northcote, the member for Ashburton, had said plainly he

* *Ante* 50, 51.

would rather increase the jealousies between the King and the House than any way diminish them, and, amid continual excitement and interruptions, had persisted in naming an intention which they had all heard discussed elsewhere if not in that House, "to crown the prince and " make him King."* But now, in a very full House, amid an unusual and fullen silence, Old Vane did not scruple to take something of a similar tone. He gave in his adhesion to the views expressed by Pym and Hampden upon the question of the Militia, declared his conviction that "the present flame would devour all" unless great care and wisdom were used for stopping it, "and wished that to that end we might lay " a new foundation." This called up Mr. Harry Killebrew of Cornwall, the member for West Looe,† who made a violent Royalist speech, and in the course of it propounded a constitutional doctrine of an extremely novel and disconcerting kind. He warned them that they were setting their feet on slippery places

"Make the Prince our King."

Old Vane declares for militia and "new foundation."

* Northcote's speech was delivered on the 14th January on the motion of Sir Henry Chomley, the member for Northallerton, for removal of jealousies between King and Parliament. *Harl. MSS.* 162, f. 328 a.

† The same "gallant gentleman and generally known," of whom Clarendon relates (*Life*, i. 140) that subsequently, on being invited with the other members to offer a contribution towards the formation of an army for the Parliament, stood up and answered, he would provide a good horse, and a good sword, and a good buff coat, and then he would find a good cause: "which for that time only raised laughter, though they "knew well what cause he thought good, which he had never "dissembled." Will "find" a good cause.

Harry Kille-
grew's
speech. in what they called their new foundation, and that he could wish, before the gentlemen he saw around him concluded matters of so great moment then and there, as imposing the militia and all their new taxation on the people, they should send some members of that House into each county to have their consent; otherwise, they might come to feel the weight of the major part of the people; *for it was not the enacting of a law that made it in force, but the willing obedience to it.* "With some other words," D'Ewes adds, "to the like effect, at which

House laughs. "many of the House, laughing heartily when he spoke them, it made him repeat them "once or twice." The laughs meanwhile desisted, for Young Vane arose with much gravity to take exception to words carrying such dangerous import. Others followed in the same tone; and some, says D'Ewes, did aggravate the words so far, that they were against allowing Mr. Killegrew to explain himself. With some difficulty Pym obtained hearing for him, "and so he made some little

Kille-
grew's
apology. "justification, protesting in the presence of "God that he had no intention to do any dis-
service to the House." Upon this Pym

Pym re-
sists his
expulsion. opposed the motion for his expulsion, which was rejected by 131 to 97. He was however ordered to withdraw, and, the debate continuing, there came suddenly to his relief another Cornishman, Mr. Chadwell, the member for St.

Michaels, who professed to cite some ancient record supporting what the member for West Looe had said. D'Ewes no sooner heard it than he suspected an imposture. He withdrew very quietly, for it was against the order of the House; hastened over to his lodging, close at hand; looked through his papers and records; hurried back to the debate; and threw upon it a flood of antiquarian lore, underneath which poor Mr. Chadwell, and his misquoted, misdated, and wholly misrepresented record, were completely carried away. But it is a peculiarity of D'Ewes to be always magnanimous in his moments of triumph. He never tramples on the fallen. "No doubt, Mr. Speaker," he said, "I think this gentleman very faulty who "would presume to misquote Records for "Mr. Killegrew. But, not being well skilled "in Records, perhaps he did not know the "dangerous consequence." That was his tone. The House fell in with it; and both Killegrew and Chadwell, thanks to the moderation and good sense of Pym, escaped with but slight punishment.*

These illustrations may now be fitly closed with some notice of the many efforts made to

* Harl. MSS. 163, f. 451 b. Being called to the Bar, the Speaker told them that the House conceived the offence to be of a very high nature, considering the circumstances of time and the opinions of some people abroad; and therefore they had commanded him to give them a sharp reprehension, and it was the mercy of the House that the censure was no severer.

Attempts
to force
early at-
tendance.

Alarming
time when
first found
necessary.

Tragi-
comedy of
the world.

compel early and full attendance at the House, in which D'Ewes and Lenthal took prominent part. Under the form of fines for being late at prayers, these attempts were frequently renewed; and they had originated at a memorable time. As early as the previous May (1641), when the duties and responsibilities of membership had become such as to daunt and deter all but the most resolute; amid the plots for Strafford's escape, and the tumultuous assemblages of the people demanding justice upon him; when the King still paused on the verge of desperate counsels; while each hour of every day came laden with its danger and its terror; only two days before Charles had gone to the Lords to warn them against passing the attainder, for that he never in his conscience could consent to it; on the very day when Pym arose in the Commons to explode the conspiracy of Henry Percy and Goring for bringing up the army and seizing on the Tower,—D'Ewes makes the subjoined most striking entry in his Journal. It adds another to many memorable instances of the close intermixture of seriousness and laughter in this tragi-comedy of the world, and is one more proof that men are never so prone to sudden bursts of mirth as when heavy and overborne in spirit by a long strain of anxiety, by nervous excitement or apprehension, by the over-wrought intensity of either hope or fear.

“Prayers being done, after the Speaker had

“fitten a good while, and all men silent, the Clerk's assistant began to read a bill touching wire-drawers, which being presently stopped, did amidst our sad apprehensions move laughter from divers that such a frivolous bill should be pitched upon, when all matters were in such apparent danger. After some half-hour's silence more, or a quarter's, some called to have the order read, which was made on Saturday, by which every member that came after eight of the clock was to pay one shilling. And then, as men came in, divers cried, ‘Pay! Pay!’ When the Serjeant demanded the said shilling, which bred a great confusion.”*

Such was the continued confusion, indeed, that for this particular time it had to be abandoned. But, ten months later, it was renewed; and Sir Simonds had again, upon the special subject, though on this occasion with inferior success to that we have seen formerly attend him, to vindicate the dignity of Mr. Speaker's place against Lenthal's own forgetfulness and non-assertion of it. On a Tuesday the fine was proposed. “A motion made,” says D'Ewes, “as I came in, that such members as should not come up by 8 and be at prayers, should pay a shilling. I said, when that was tried twelve months ago it was laid aside from its inconvenience,

* Harl. MSS. 163, f. 514 a.

"after one day's practice; and that the best way would be to rise at 12, and not at 2 or 3, to ensure members coming at 8. Divers others spake against it; but the greater number being for it, it passed." *

Mr.
Speaker
late:

Very little, however, as it would seem, to the immediate edification of Mr. Speaker, seeing that next morning, Wednesday, he did not himself make his appearance till a quarter to nine.

rebuked:

"The House by this time," D'Ewes remarks, "was very full at prayers, by reason of the order made yesterday. Sir H. Mildmay, after prayers, stood up and said he was glad to see

throws
his shilling
on table:

this good effect of yesterday's order; and said to the Speaker that he did hope that hereafter he would come in time; which made the

Speaker throw down twelvenpence upon the table. Divers spake after him, and others

as they came in did each pay his shilling to the Serjeant. I spake to the Orders of the

House: That the order made yesterday was to fine 'after' prayers, and therefore you

(I spake to the Speaker) cannot be subject to pay; and for coming a little after 8, that

was no great difference. Although I spake truly, the Speaker having cast down his

will not
take it up
again.

shilling, would not take it up again."†

One may perhaps infer, without disrespect, that Lenthal had fulked a little; and the ill effect of so throwing down his twelvenpence,

* Harl. MSS. 163, f. 474 a.

† *Ib.* 163, f. 475 b.

certainly displayed itself next day, Thursday, when the action found an imitator well disposed to exaggerate it. After observing that on that morning only about forty were at prayers, D'Ewes proceeds to say that it was ordered upon the motion of Mr. Rous, that the fines of yesterday and to-day be given to Dr. Leighton, being in some distress. Then came on a petition complaining of Dr. Fuller, parson of St. Giles's, having chosen two churchwardens ill affected to religion, in opposition to two chosen by the parishioners.

"Some coming in and refusing to pay, whilst the aforesaid petition was reading, divers

called out to them to pay, and so interrupted the Clerk's assistant, who was reading

it. Mr. John Hotham stood up and said that the time appointed for men to come

yesterday by the order was 8, and that the chimes for that hour went just as he came

into the house. But the Speaker telling him that prayers being past he must pay, and he still refusing, it was put to the

question, ruled affirmatively, and ordered accordingly. Whereupon he took his shilling,

and threw it down upon the ground: upon which some called him to the bar, others that he should withdraw: and the

Speaker, standing up, did sharply reprove him for that action, as being a contempt to the

House. Which caused him, as I conceive, a

Ill results
of the fine.

Refusals
to pay.

Jack
Hotham
ordered to
pay.

Flings his
shilling on
ground.

" little after, to withdraw out of the House,
 " though he returned again this forenoon."*

Beginning
 of the
 End.

These various scenes, and the attempts to check in honorable members a growing tendency to slacken and be remiss in their attendances, prefigure what was now rapidly approaching. The King's party had lost their last venture, and silent desertions were reported daily.

Call of
 House
 attempted.

A call of the House had been attempted with ill success soon after Strafford's execution, and now another attempt was made. "Mr. D. Hollis," says D'Ewes, " moved that the house might be called, and such as were absent fined, for the relief of Ireland." But Sir Simonds stoutly opposed the motion, reminding Mr. Speaker that none of the members who were absent at the first calling had paid their £5 fine. In the end, the motion was overruled, and D'Ewes adds: " A number went to the

Not forty
 members
 present.

" conference with the Lords, and we had not
 " forty left, so the Speaker left the chair, and
 " we discoursed severally one with another for a
 " pretty while."† Discourse which has all passed away with the honourable members themselves, but of which we might perhaps with slight effort, if it were worth the while, recal so much as the subjoined little incident of that day is likely to have called forth, as they so talked severally one with another. It had occurred while the House yet sat, and business

* Harl. MSS. 163, f. 476 a.

† *Ib.* 162, f. 401 b.

was proceeding. "One Mr. Shepherd, a stranger, came into the House and stood behind the Serjeant. So divers espied him out, and called him to the Bar. There, he would not tell his name, but said he was a Bedfordshire man. As divers knew him, he was dismissed."* A stranger in the House.
How dealt with.

And now I resume the course of this narrative, which will not be held, I trust, to have been interrupted needlessly, by a series of incidents and illustrations intimately connected with it; all of them drawn from an unpublished manuscript record; ranging, in every instance, within a compass of not many weeks beyond the date of the Arrest of the Five Members; and not only supplying traits of history and personal character essential to any thorough comprehension of the circumstances and results comprised in that event, but testifying to the trustworthiness of one of the principal witnesses to be called in evidence for what yet remains to be described. Resumption of narrative.
Why interrupted.

§ XXIV. APPEAL TO THE CITY.

CHARLES sent for Mr. Rushworth shortly after he reached Whitehall. James Maxwell, usher of the House of Lords, the same to whom Strafford yielded himself a prisoner, and in Mr. Rushworth sent for by King.

* Harl. MSS. 162, ff. 385 a. 389 a.

whose house at Charing Cross two right reverend prelates were now impounded, bore the message to the astonished Clerk's assistant. Arrived in the Royal presence, the King commanded him to give him a copy of his speech that day, which "his Majesty had observed" him to take in characters at the table in the "House." Somewhat alarmed at the order, and perhaps not without the ambition to show the King that Mr. Speaker's recent lesson of allegiance to the Commons had not been thrown away, Mr. Rushworth stammered out excuses; and proceeded humbly to remind his Majesty how a certain member had been committed to the Tower, for reporting what a certain other member had said in the House. Then said his Majesty smartly, "I do not ask you to tell me" what was said by any member of the House, "but what I said myself." Whereupon, Mr. Rushworth informs us, that, omitting what Lenthall had interposed, he "readily gave" obedience to his Majesty's command, and in "his Majesty's presence, in the room called" the Jewel-house, transcribed his Majesty's "speech out of his characters, his Majesty" staying in the room all the while, and then "and there presented the same to the King:" which his Majesty was pleased to command "to be sent speedily to the press, and the next" morning it came forth in print. But alas for the present chances of such an appeal!

Report of
his majesty's
speech
demanded.

Mr. Rushworth's
humble
excuses.

King's
sharp re-
joinder.

Speech
transcribed
from
notes, in
King's
presence.

Sent to
press.

Every copy that could now be circulated had for its precursor, and illustrative comment, the printed and published Grand Remonstrance, already for nearly three weeks in the hands of every Citizen.

On the same night, after Rushworth quitted the King, there came forth a proclamation reiterating the charge of treason against the Five Members, and closing the ports against any attempt they might make to quit the kingdom. This proclamation is ordinarily confounded with that which forbade all persons under gravest penalties to receive or harbour them, and which was not issued until afterwards. Received and harboured, meanwhile, it was well known that they now were, in a house in Coleman Street in the City: whither already the King was resolved to proceed next day to demand them, and to try his final chances of authority and predominance in that stronghold of his kingdom.

Of the influence and importance of the City of London at this time, it is needless to speak. It represented in itself the wealth, the strength, and the independence, which had made England feared and honoured throughout the world. Within its walls, and under the shadow and protection of its franchises, slept nightly between three and four hundred thousand Citizens. The place of business of the merchant, in those days, was also his residence

Proclamation
against
Five
Members.

Ports
closed
against
their
escape.

Their
place
of refuge.

City of
London.

Merchants'
home as
well as
place of
business.

Its palaces and his home. The houses then recently built by nobles beyond its precincts, along the Strand of the magnificent river, scarcely transcended in extent or splendour those palaces of its merchant princes, which lurked everywhere behind its busy wharves and crowded counting-houses. But, beyond every such source of aggrandisements, its privileges were its power. From its guilds, charters, and immunities, wrested from the needs, or bestowed by the favour, of successive princes; from its own regulation of its military as well as civil affairs; * from its

Lord Mayor's letter to aldermen.

Military organization of City.

Instructions for watch and ward.

Personal service required from aldermen.

* Late in the night of the 4th of January, the day of the King's attempt, upon some suggestion which had reached him from Whitehall, Sir Richard Gourney sent round to the Aldermen of each ward in the City a letter of which the rough draft, brought back apparently to the Court, is now in the State Paper Office. It will be read with interest for the proof it affords of the military government and organization of the City at the time. Of course the object which the Lord Mayor had in view was frustrated by the very means thus proposed to give effect to it. He miscalculated, as the King did; and the organization and resistance they would have invoked to protect themselves, they found suddenly turned against them. The letter begins by stating, that, for the better suppressing and apprehending of all such insolent persons as shall be tumultuously assembled in and about the City and Liberties thereof, each Alderman do straightway appoint "substantial double watch and ward of able men, well weaponed and furnished with Halberds and Musketts, to be from henceforth duly kept & continued every night and day . . . especially at every gate, postern, & landing place within the same, to beginne at eight of the clock in the evening and continue until five in the morning. And so from that tyme, by new supply, until eight at night again," to go on until each Alderman have further order to the contrary from the Chief Magistrate. And further, each Alderman is adjured "that yourselfe take the service, the danger of the tymes considered, personally to heart and care. And that you, your deputy, & some of the Common Councilmen, in person, do not only by turne watch every night, but that

complete and thoroughly organized democracy, Its complete and governed and governing by and within itself; complete and organised was derived an influence which made it formidable far beyond its wealth and numbers. Clarendon, after speaking of its incredible accession of trade, of its marvellous increase in riches, Its incredible enrichment by trade. people, and buildings, of its unvarying choice of the wealthiest and best-reputed men, of the wisest and most substantial citizens, to serve its offices and dignities, and of its several powerful companies "incorporated within the great "corporation," falls into a lament that wise Clarendon's lament. men should not have foreseen, that such a fullness could not possibly continue there without an emptiness in other places; and that the government of the country should undergo neglect, while so many persons of honour and estates were so delighted with the City.* But this lament was not indulged until the City

"you provide the same watch and ward to be orderly sett forth & continued in manner as afores^d within your wards." Gates were everywhere to be shut and strongly guarded. Fortifications of the City walls. Especial care to be taken that the said gates, and portcullises thereunto belonging, were speedily repaired and made sufficiently strong wheresoever required: and the portcullises made easy to let down and draw up when need should be. Also provision was to be made for setting right all chains and posts in any way defective, substantially and strongly. Also each parish in the ward was to be sufficiently furnished with hooks, ladders, buckets, spades, shovels, pickaxes, augurs, and chisels. Men were likewise to be provided in such numbers that the Trained Bands and watches might be kept constant to their stations, and always in full efficiency. And every householder was to be responsible for the good conduct of his apprentices. They were not to permit either them or their servants to go abroad without most severe penalties. It is signed "This 4th day of Jan^y. MICHELL." * *Hist.* ii. 151.

The City had made itself, in the same writer's words, disaffected to the Court. " eminent for its disaffection to the government of Church and State" (as then administered), and had in fact overthrown it. To its honour, be it said, that, from the hour the cause of public freedom was in peril, the City of London cast in its fortunes unreservedly with the opposition to the Court.* Its resolute refusal to join the league against the Scottish Covenant, had baffled the counsels and wasted the energies of Strafford; and its Trained Bands, under Skippon, were destined largely to contribute to the final defeat of the King.

Well affected to the Commons.

Services in the war.

Excitement on night of the arrest.

Attack on City in Royalist satires.

Throughout the night of Tuesday the 4th of January, a terrible excitement prevailed. Upon intelligence of the King's attempt, all the shops had been closed, and the City all night

* The City, it is almost unnecessary to say, is the constant object of unsparing and merciless attack in the Court Satires, but its power is freely admitted, and the sustaining force it imparted to the popular counsels is never for a moment questioned. The subjoined lines are from *An Address to the City*:

Now do you daily contribute and pay
Money your Truths and Honours to betray!
Bigg with Fanatic thoughts and wilde desire,
'Tis you that blow up the increasing fire
Of foul Rebellion! you that alone do bring
Armies into the Field against your King!
For wer't not from sustaintment from your Baggs
That "Great" and "Highest" Court that only braggs
Of your vain folly, long 'ere this had been
Punish'd for their bold sacrilegious sin . . .
They would not then have so supreamly brought
Their votes to bring the kingdome's peace to nought,
Nor with so slight a value lookt on him
King Charles, and only doted on king Pym!

was under arms.* From gate to gate passed the cries of alarmed Citizens that the Cavaliers were entering, that their design was to fire the City, and that the King himself was at the head of them. Threats of a contemplated seizure of the arms of the Citizens, by violent entry into their houses under royal warrant, increased the prevailing dread and excitement.† Nor was the feeling likely to abate upon rumours

"Cavaliers coming."

Apprehended seizure of arms.

* "The shops of the City generally shut up, as if an enemy were at their gates ready to enter, and to plunder them; and the people in all places at a gaze, as if they looked only for directions, and were then disposed to any undertaking."—Clarendon, *Hist.* ii. 160.

† That there existed too much ground for these suspicions, I discover by the rough draft, in the State Paper Office, of the subjoined "Warrant to the Lord Mayor under the Signet," dated 4th of January 1641. "Whereas wee are informed that six peeces of Ordnance, usually belonging to the Artillery Yard, have now lately been brought into that City of London, and placed in Leaden Hall, but wth what intentions wee are not yett well satisfied. [Considering the distempers and troubles of these times,] Our will and command therefore is, that you forthwith take an especial care to see those said peeces soe safely disposed of, that they onely serve for the guard and preservation of the said City, if cause should soe require. And whereas wee are farther informed that severall persons of mean quality have of late taken into their houses an unusuall number of musquets, as some 20, 30, 40, or thereabout, and amunition accordingly. Our will and pleasure is that you likewise cause a search to be made through^t the said City and the Liberties thereof, and, when you shall find any such quantities of armes, that you examine those persons upon what grounds and reasons they have made such provisions, and, as you shall see cause, that you take soe good assurance from them, that they may be responsible for the said armes and their intentions therewth, that through the same the peace and safety of that Our City not any ways be endangered. And for soe doing this shall be y^r warrant. Given under our Signet, Whitehall, 4th Jan. 1641." The words within brackets are an interlineation in Nicholas's hand-writing.

City shops all shut.

Rough draft of royal warrant.

Ordnance safely disposed.

Houses to be searched for muskets.

Possessors of fire-arms to be examined.

King's message to the Lord Mayor. spread abroad with the dawn, of a message received by the Chief Magistrate from Whitehall, to the effect that his Majesty had matter of pressing occasion to address to the Lord Mayor and Common Council, and proposed to visit Guildhall before noon. Warrants of arrest, committed to the hands of the two Sheriffs of London, preceded him there; and no indication was wanting of a determined resolve that he would yet carry out his purpose of obtaining possession of the persons of the accused.

Warrants against accused.

§ XXV. THE KING'S RECEPTION IN GUILDHALL.

An important day for Charles I. Soon after nine o'clock on the morning of Wednesday the 5th January, or nearly four hours before the time to which the House of Commons had adjourned their meeting that day, Charles set out upon his enterprise of conferring with the City authorities; and the report in Rushworth, and half a page in Clarendon, are all that has hitherto come down to us of what passed at a meeting which may be said to have determined the King's fate.*

King's speech at Guildhall.

* *Hist. Col.* III. i. 479, 480; Clarendon, *Hist.* ii. 131. I subjoin Rushworth's account, which, brief and dry as it is, comprises all the detail known to us hitherto of what transpired. "His Majesty being arrived at Guild Hall, and the Common Council assembled, he made this speech to them: 'Gentlemen, I am come to demand such persons as I have already accused of High Treason, and do believe are shrouded in the City. I hope no good man will keep them from me; their offences are Treason and Misde-

For, in this visit, he threw his last stake for the good-will of his citizen subjects. Declining to take any Guard with him, and counting to the last upon a greeting at Guildhall not less enthusiastic or loyal than had welcomed him on his return from Scotland, he left Whitehall with the confident belief that he should drive his enemies from their last refuge. Nor was he without so much ground for the delusion as, however scant and insufficient in reality, might perhaps have been expected to suffice to a mind so obstinate and narrow. He continued to have undoubtedly many adherents among those holding municipal places. One of the Sheriffs was his unflinching partizan. The Chief Magistrate wielded extraordinary powers in that day, long since fallen to disuse; and the devoted adherence of the present holder of the office, carried still an amount of support that in ordinary circumstances might have turned the scale. Royalty itself, moreover, had not lost even then all its old tradi-

His last stake for good-will of City.

His confidence still unabated.

Grounds for such false reliance.

Present supporters and old traditions.

"meanour of an high nature. I desire your loving assistance herein, that they may be brought to a legal trial. And whereas there are divers suspicions raised that I am a favourer of the Popish Religion, I do profess in the name of a king that I did, and ever will, and that to the utmost of my power, be a prosecutor of all such as shall any ways oppose the laws and statutes of this kingdom, either papists or separatists; and not only so, but I will maintain and defend that true Protestant Religion which my Father did profess, and I will continue in it during life.' His Majesty was nobly entertained that day in London at the house of one of the Sheriffs, and after dinner returned to Whitehall without interruption of tumults."

Dinner at Sheriff's.

tional and inherent authority ; and the number of waverers, or men of no fixed opinion, whom all these circumstances would be likely to influence, could not have been inconsiderable.

Reception
on his
way.

Caution
to be
wary of
speech.

Forced
mildness.

Captain
Slingsby
an eye-
and ear-
witness.

"Privi-
lege! pri-
vilege!"

"To your
tents, O
Israel."

Hardly had Charles passed Temple Bar, however, when he must have felt these supports begin to crumble under him ; and such warning had he received to be wary of his speech by the time he reached Guildhall, that his declared and determined purpose to have the five traitors delivered up to him, which he had come there exclusively to repeat and enforce, must have sounded strangely out of keeping with the forced mildness of his tone. We are happily able to break through the reserve of Rushworth, and fully to describe the scene.

It was Captain Slingsby's fortune that day, as he writes to Admiral Pennington the day following,* "being in a coach," to meet the King with his small train going into the City. Whereupon, he says, he followed him. His Majesty's reception in the streets was not favourable. Unsuppressed cries of discontent broke forth. The multitude pressed around his coach with confused shouts of Privilege of Parliament ! Privilege of Parliament ! and one, less restrained than the rest, made himself conspicuous by flinging into the window a paper on which was written, "To your Tents, O Israel !"

* MS. State Paper Office : Slingsby to Pennington : 6th January 1641-2.

The offence was expiated at Sessions ; but the Ten Tribes had even now deserted the Rehoboam, whom nevertheless the more gracious company, the Mayor, the Sheriffs, the Aldermen, and all the Common Council assembled in full order and ceremony at Guildhall, received with every external mark of homage and respect.

Arrival at
Guildhall.

He at once addressed them. He had come, he said, to demand such persons as he had already accused of high treason, and did believe were shrouded in the City. He hoped no good man would keep them from him, their offences being treason and misdemeanor of a high nature ; and he desired assistance to bring them to a legal trial. He was very sorry to hear of the apprehensions the City had entertained of danger, and he was come to them to show how much he relied on their affections for his security and guard, having brought no other with him. Whereas there had been suspicions raised that he was a favorer of the Popish religion, he now declared to them his wish and intention to join with the Parliament in extirpation not alone of Popery, but of all schisms and sectaries. His resolve was to redress all the grievances of the subject, and his care should be to preserve the privileges of the Parliament ; but again and again, according to Slingsby, he repeated, *he must question those Traitors*. He justified the Military Guard

King's
speech.

Resolved
to have
the Five
Members.

Reliance
on the
City's
good-will.

Will re-
dress
grievances
and respect
privileges:

but must
question
Traitors.

Justifies
Whitehall
Guard.

established at Whitehall, and said the reason thereof was "for securing himself, the Parliament, and themselves, from those late tumults." He added, says Slingsby, "something of the Irish; and at last had some familiar to the Aldermen" (spoke them friendly words, that is), "and invited himself to dinner to the Sheriff's." He was careful to select for that honour Mr. Sheriff Garrett, who was of the two, according to Clarendon, thought to be less inclined to his service.

Offers to
dine with
liberal
Sheriff.

Ominous
silence:
Opposing
cries.

"Privileges of
Parliament,"
and "God
bless the
King."

So far all had passed very quietly; in an ominous silence, but without interruption. Then, says Slingsby, after a little pause, a cry was set up among the Common Council, *Parliament! Privileges of Parliament!* And presently another, *God bless the King!* These two, he writes, "continued both at once a good while, I know not which was loudest." Sufficiently decisive evidence, it will be thought, out of such lips, that the resistance to the loyal ejaculation must indeed have been stoutly and sturdily maintained.

Has any
one any-
thing to
say?

Nothing can be more characteristic than the sequel, as related by this eye-witness so favorable to the King. "After some knocking for silence, the King commanded one to speak if they had any thing to say. One said, *It is the vote of this Court that your Majesty hear the advice of your Parliament.* But presently another answered, *It is not the*

Yes—we
vote you
hear your
Parliament.

"vote of this Court: it is your own vote!" No—that The King replied, *Who is it that says I do not take the advice of my Parliament: I do take their advice and will: but I must distinguish between the Parliament and some Traytors in it: and those* (Slingsby tells us that he again and again repeated this) "he would bring to tryall—tryall!" Then there was silence again: but presently, and quite unexpectedly, another highly characteristic interruption. "Another bold fellow, in the lowest ranke, stood up upon a forme, and cried *The Priviledges of Parliament!* And another cried out, *Observe the man, apprehend him!* The King mildly replied, *I have and will observe all priviledges of Parliament, but no priviledges can protect a traytor from a tryall—tryall!* And so departed. In the outer hall were a multitude of the ruder people, who, as the King went out, set up a greater cry *The Priviledge of Parliament!*"

No—that
is not our
vote.

A bold
fellow on
a form.

Rejoinder
for him.

"Trial—
trial!"

Dines with
Sheriff.

"Trial—
trial!"

Through these ruder people he passed to Sheriff Garrett's house, was nobly entertained therein until 3 o'clock, and, with the fatal and determined shout of *Privilege! Privilege!* again raised from the lips of thousands, while upon his own doubtless there trembled still the hesitating and painful, if not less obstinate, cry of *Trial—Trial!* he returned to Whitehall. He had thrown and lost the stake.

§ XXVI. HUMILIATION AND REVENGE.

Incidents
of the re-
turn to
White-
hall.

OF the incidents of Charles the First's return to his palace on this ill-omened day, when, as Clarendon mildly phrases it, he failed of that applause and cheerfulness which he might have expected from the extraordinary grace he had vouchsafed, Captain Slingsby says nothing; but they are named by another correspondent of Pennington, whose letter, contributing some heightening touches even to the relation just given, will find also here its appropriate place. "Noble Sir," writes Mr. Thomas Wiseman* to the Admiral of the Channel Fleet, "I am sorry that the times are
"such they will afford little else to advize of,
"than the daily distractions that increase upon
"us. The last weeke, 12 B^{hps} were impeached
"of high treason by the Parliament; and this
"weeke, 5 of the cheiffe memb^{rs} of the House
"of Co^mons, & the Lord Mandeville in the
"Lords House, by the King: as by the
"charge given then, & their names, you

Wiseman
to Pen-
nington:
6th Janu-
ary.

News of
the week.

Bere to
Penning-
ton:
6th Janu-
ary.

Cries in
City.

* MS. State Paper Office. 6th January. I append, from the same rich and unexplored materials of history, some sentences of a letter, with same date, from Under Secretary Sidney Bere: "Yesterday the King went to Guild Hall in person. . . . They made a confused noise crying out for Privileges of Parliament, to w^{ch} his Ma^{ty} gave all the assurance possible that his intention was not in the least to infringe them. . . . But att this time he went not guarded as he did the day before to Parliament. That afternoone the Lower House satt, & have adjourned until Tuesday next. . . w^{ch} causes still a greate distemper of apprehensions amongst them."

"may perceive by a particular herewth inclosed Fears of
"—w^{ch} hath bredd such a distemper both in insurrection.
"y^e Cittie & Houses of Parlam^t that wee are
"not free from the fears of an insurrection.
"The 6 persons keepe out of the way; and Accused
"although the Co^mons House did promise for keeping
"their forth coming, yet they are not out of way.
"coming forth. His Ma^{ty} yesterday came
"into the Cittie, & made a gracious speech
"to the Lord Maio^r Aldⁿ & Co^mon Councill
"at the Guildhall, where they were assembled
"to take order for the satisfie of the same; and
"did, as much as in him laye, strive to give Efforts to
"them all satisfacion. Many cryed out to conciliate.
"his Ma^{ty} to mayntaine the priviledges of
"parlam^t, to whom he most gently replyed it Gentleness
"was his desire soe to doe, & would not in of King's
"the least invade upon them; but they must voice.
"give him leave to distingeishe betweene the Firmness
"Parlam^t and some ill-affected members in it, of his pur-
"w^h have gon about by treasons to iniure pose.
"his person, and to wthdrawe his people from
"their allegiance. And therefore, both for
"his owne satisfie & their goods, hee must and Must
"will finde them out, to bring them to Justice bring
"—w^{ch} should be don in a legall and parlamen- Traitors to
"tarye way, & no other wayes. And if they trial.
"could cleare themselves, he should bee glad of
"it; if otherwise, hee held them not memb^{rs}
"fitt to sitt in that assemblye, w^h were mett
"together to make good lawes, and to

“ reforme the abuses of the kingdome, and
 “ not to betray their King. Afterwards, his
 Dinner at Sheriff Garrett’s. “ Matie was pleased to bidd himselfe to dinner
 “ to Sheriff Garrett’s, where hee stayed till 3 of
 “ the clock; and then, returning to Whitehalle,
 Shouts of people against the King. “ the rude multitude followed, crying againe
 “ *Priviledges of parlam^t, Priviledges of parlam^t,*
 “ whereat the good King was somewhat moved,
 “ and I believe was glad when hee was at
 Glad to get home. “ home. The Co^mitte^e of the House of
 “ Co^mons—(being affrayed, as is conceived, of
 “ the King’s Guards, w^{ch} hee hath lately taken
 Why Commons left Westminster. “ to his own personne at Whitehaull, beinge
 “ there a Courte of Guard built, and the
 “ Trayne bands of Middlesex night and day
 “ attending, wth at least 6 score other officers,
 “ w^{ch} have their dyett at Courte)—come into
 “ the Cittie at the Guildhaull to hould their
 “ consultatōs, the Parlam^t being adjourned
 “ till Tuesday next. What these distempers
 Expectation of bloodshed. “ will produce, the God of Heaven knowes;
 “ but it is feared they cannot otherwise end
 “ than in blood. The Puritan factionne, wth
 “ the sectaries & schismatickes, are soe preva-
 “ lent both in Cittie and Countrey, that no
 “ man can tell, if the King & Parlam^t should
 Doubts which party strongest. “ not agree, w^{ch} partie would bee strongest. On
 “ Tuesday his Matie went to the House of
 “ Co^mons to demand the persons of those
 “ that were accused for treason: but they were
 “ not there to be found. The House, it seemes,

“ taking it ill the King should come in that Retro-
 spect. “ manner to breake their priviledges, for
 “ ought I can understande resolve to protect
 “ their memb^{rs}, & not to deliver them into the
 “ hands of the King. And to take them by
 “ force—they have such a partie in the Cittie
 “ that it will cost hott water! We have 3
 “ Privie Councill^{rs} more made: the Earl of More
 “ Southa^{ton}, my Lord of ffaulkland, & Sr Jno privy-
 Colpepper, whose is likewise Chancell^r of the councillors made.
 “ Exchequer; and my Lord of South^{ton} sworne
 “ Gentleman of the Bedchamber to the King.
 “ Thus you see the changes of the times,
 “ whereon I pray God preserve our Gracious God pre-
 “ King, and send us peace at home whatsoever His
 “ wee have abroad: w^{ch} is the hartye prayer of Majesty!
 “ y^r most affect^e & faithfull friende, Tho.
 “ WISEMAN. My wife, and Doct^r, with Message
 “ you a good new year, & shee hath sent you from Mrs.
 “ a token of her respects to you, & prays yo^r Wifeman.
 “ acceptance wherein I shall acknowledge my
 “ thanks & rest once again yours, T. W.”

Yet another, however, and perhaps worse A worse
 trial was reserved for the King, when, within Charles.
 a couple of days after this visit of evil omen,
 its result declared itself in a formal answer from
 the magnates of the City to the demand he had
 made for safe delivery into his custody of the
 bodies of Pym, Hampden, and the rest. He Visit from
 had to receive their furred and robed deputa- Common
 tion in Whitehall; and to listen while Mr. Council:

Their
advice :

consult
with your
Parlia-
ment :

leave the
Tower
alone :

disperse
the White-
hall
Guard :

abandon
impeach-
ment,

Recorder read aloud their petition, representing the dangers which had arisen, and the greater that were impending, from the misunderstanding between his Majesty and his Parliament; and praying him again to resort to the advice of that great council, to abstain from further fortifying of Whitehall or the Tower, to place the latter fortresses into the hands of persons of trust, to remove all unusual military companies and armament from the precincts of his palace, to appoint a known and approved Guard for the safety of himself and his Parliament, and not further to restrain of their liberty, or proceed against otherwise than according to parliamentary right and privilege, the members lately accused.

Humiliating trials all these, no doubt; and it requires no effort to understand the emotion, and the eagerness to be home again,* which the good Mr. Wiseman attributes to his gracious sovereign while yet on the City side of Temple Bar. But it requires some effort, as well as a very intimate acquaintance with the character of this King, not to reject as almost incredible

Anecdote
told by
Slingby.

* A curious incident followed upon his arrival at the palace, which is thus related by Slingby. (MS. State Paper Office, 6th January.) "At the King's coming home, there was a meane fellow came into the privy chamber, who had a paper sealed up, w^{ch} he would needes deliver to the Kinge himselfe. With his much importunitie he was urged to be mad, or drunke, but he denied both. The gentleman usher tooke the paper from him, carried it to the King, and desiring some gentlemen there to keepe the man. He was presently sent for in, & is kepte a prisoner: but I know not wherefore."

the supposition, that his first act, upon his return to his palace after receiving such a lesson, was with his own hand to pen a fresh instruction to Mr. Secretary Nicholas, for a new proclamation denouncing the accused members, specially directed against those who were harbouring them, and to be issued on the following day. The fact nevertheless is undeniable. Clarendon expressly mentions the publication of that particular proclamation on the "next day,"* and I have discovered in the State Paper Office the rough draft of it, with the date of the 5th of January, wholly in the handwriting of Charles himself. Kimbolton is not named in it. It is restricted to the five members of the Lower House, with probably a lingering hope that the Upper House, if the struggle with them were put aside, might yet be induced to act with the Court. It is endorsed by Nicholas, "His Maties warr^t to me to draw upp a Proclamation ag^t Mr. Pym, &c."; is addressed to "Our trusty and well-beloved Councell^r Sr Edward Nicholas, Kn^t, our Principal Secretary of State," and runs thus: "*Charles R.* —Our will and pleasure is that you forthwith prepare a draught of a Proclamation declaring y^e course of our proceedings upon the accusation of High Treason and other high misdemeanours lodged against Mr. Denzill Hollis, Sr Arthur Haslerig, Mr. John Pym,

King's
first act on
return
from City.

New pro-
clamation
against the
members!

Rough
draft in
King's
hand.

Kim-
bolton
omitted.

Instruc-
tions to
Secretary
Nicholas.

* *Hist.* ii. 131.

The guilty have escaped. Injunction to seize them. Prohibition against harbouring them.

“ Mr. John Hampden, and Mr. William Strode, members of Our House of Commons, who, being struck with the conscience of their own guilt of soe hainous crimes, have made their escape. And Our will & pleasure is, that you thereby commande all our officers ministers and loving subjects to use their diligence in ye apprehending & carrying of them, & every of them, to Our Tower of London, to bee kept in safe custody, to bee brought to triall according to justice. And that, moreover, you prohibitt all our loving subjects to harbor relieve & maintayne them, with any other fit clause. And for doing hereof this shall bee yo^r sufficient warrant. Given at our Court at Whitehall this fifth day of January in the 17th yeare of our Reigne.”

The City threatened.

Any such prohibition against harbouring the accused was in effect a threat against the City, launched precisely at the moment when its author had discovered himself powerless to enforce it; and this circumstance, even if the warrant had not been entirely in the handwriting of the King, must have sufficed to

Solely the King's act.

declare it exclusively the King's act. Here no doubt can exist. It would have been sheer madness in any other man to assume, in such circumstances, the responsibility. It is not conceivable, for a moment, whatever part Nicholas or the rest may have taken before the declared

and manifest failure, that they should now have encouraged a persistence so hopeles, so reckless, so impotently obstinate and vain. It will shortly appear indeed, in expresse terms, that by this time Nicholas very heartily had repented of having ever accepted his high office; and there is every reason to believe, that, from the day when the City thus declared against the King, Sir Edward required, for even the commonest ministerial act connected with the impeachment of the members, Charles's own sign manual. For the very printing of this proclamation the King has himself written the instruction, preserved also in the State Paper Office.*

Hopeless and reckless persistence.

Repentance of Nicholas.

Charles directs even printing of proclamation.

§ XXVII. REASSEMBLING OF THE COMMONS.

MEANWHILE, at some half hour after one o'clock on the same fifth of January, while the exciting scenes above described were in progress in the City, the House of Commons had reassembled at Westminster. The agitation of yesterday had not subsided. The first act was to order that the doors be locked,† and the outer lobbies cleared of all persons but ser-

Wednesday, 5th January, 1641-2.

Yesterday's agitation not subsided.

* “ CHARLES R. Our will and Command is that you give orders to Our Printer to print Our Proclamation for Apprehending of Mr. John Pym, Mr. John Hampden, Mr. Denzil Hollis, Sir Arthur Haselrigge, and Mr. Wm. Strode. For which this shall bee yo^r warrant. Given at Our Court at Whitehall this 6 day of Jan^y. 1641.”

† To Sir Edw^d Nicholas
“ Our Principall Secretary.” † *Harl. MSS.* 162, f. 307 b.

King's instructions to printer.

Watches
sent out.

260 mem-
bers pre-
sent :
90 of the
King's
party.

The mem-
ber for
Colchester
leads de-
bate.

Grim-
ston's
speech.

Its scope
and value.

vants to members; that no member should offer to go out without leave; and that some should send forth their servants, to see what numbers of people were repairing towards Westminster, and to bring notice to the House. So prepared and watchful for other than the conflicts of debate, and with hands nervously clutching at less peaceful weapons, there sat this day two hundred and sixty members, and among them nearly ninety of the party of the King. The Royalists had not assembled in such force since the debate and division of the 15th of December on the printing of the Remonstrance. When D'Ewes entered the House, he found Grimston, the member for Colchester, speaking of "the great breach of their privileges by his Majesty's coming to the House yesterday with so great a number of officers of the late army, and men desperate of purpose and in fortune, armed some of them with halberds and swords, others with swords and pistols, demanding to be delivered to him Mr. Pym and other members of the House, whom he accused of high treason."

Mr. Grimston's speech was not only very able, striking skilfully several chords which elicited loud and vehement response, but it cleared the ground for all the subsequent discussions, and at once gave to the resentment which the King's act had aroused, its proper shape and right direction. Parliament,

he said, had always claimed and exercised power and jurisdiction above all other courts of judicature in the land; its wisdom and policy had been accounted of higher import than those of any other council; and all orders in the State had been brought frankly to admit its rights and privileges, its power and jurisdiction, its free continuance. Whence and wherefore had proceeded, then, the interruption of which they complained?

The answer to that question was to be found by inquiry into what circumstances they were which had given such "aweful predominancy" to the very name of a Parliament in this nation. It was because the ordinances and statutes of that high court struck with terror and despair all such evil-doers as were malefactors in the State. It was because, not alone the meanest of his Majesty's subjects, but the greatest personages of the kingdom, were in danger, if infringers of the law, to be called in question by this highest court, and to be by it punished. It was, on the other hand, because the drooping spirits of men, groaning under the burden of tyrannical oppression, had been from the same source enriched and comforted; while places and offices of power, both in Church and State, had been struck out of the hands of the wicked and the unmerciful. He discovered the explanation to be, therefore, that the act of which they complained was the act of evil

Exposition
of the
power of
Parlia-
ment.

Why so
awfully
predomi-
nant?

Because it
punishes
evil-doers.

comforts
the op-
pressed :

and strips
the wicked
of place.

The late outrage due to evil counsellors. counsellors who desired, if possible, to break off and dissolve a Parliament which had declared its intention to bring all incendiaries and delinquents in the State to condign punishment for their crimes.

Offences charged. Then Grimston pointed distinctly to specific offences given by members of that House, at which the articles of treason had been directed.

Conduct in Parliament. He declared that no pretence existed for treasonable charge except such as conduct in the House itself might have provoked. In reply to which,

Right to speak freely. amid stern expressions of sympathy from all around him, the member for Colchester claimed for himself, and for them all, the inalienable right, within the walls of Parliament, to speak freely, without interruption or contradiction, in all debates, disputes, or arguments, upon any business agitated therein. He claimed it as a

Title not to have votes questioned: privilege that they should not be questioned for this by any human power. Whether, he went on to say, with allusions he did not care to make

whether on bills of attainder or others: less open and undisguised, it were freely to give vote, judgment, or sentence upon the reading of any bill to be made a law, or upon any bill *either of attainder* or other charge against delinquents and persons criminal to the State; or whether it were, by free vote, to issue Protestation, *Remonstrance*, or other Declaration; he

or in drawing up Remonstrances. claimed this for himself, and for all, as the solemn right and privilege of Parliament.

Wherefore his conclusion was, that for

members of that House to be accused of any crime, or to be impeached for treason by any person whatever, during the continuance of Parliament, for things done in the same, without legal accusation and prosecution by the whole House—and further, that to be apprehended or arrested upon such impeachment, or to have studies broken open, and books or writings seized upon, without consent and warrant of the whole House—was a breach of the privilege and right belonging to the power, the jurisdiction, and the continuance of the High Court of Parliament. All which, he submitted, it was in the highest degree expedient explicitly and promptly to embody, in a declaratory resolution of the Commons of England.

Grimston resumed his seat amid cries of approval which his solid and masterly exposition had well deserved, and preparation was thereupon made to refer it to a Committee to draw up the necessary resolution. This, however, was stoutly opposed by several of the Royalists, headed by Hopton of the West. “Sir Ralph Hopton and some five or six more,” says D’Ewes, “excused his Majesty’s coming with so extraordinary a number.” But the majority, led by Glyn the member for Westminster, steadily carried their point; and, proceeds D’Ewes, the House “nominated Mr. Glyn and some few others to withdraw into the Committee Chamber, and to draw up a declaration

Conclusion:

Members accused for conduct in House:

lodgings entered and papers seized:

a breach of privilege.

Motion upon Grimston’s speech.

Opposed by Hopton.

Excuses for the King.

Committee to prepare resolution.

They retire: "to that end and purpose." They withdrew accordingly; and then rose the member for Hertfordshire, Sir William Lytton, to suggest that no other business should be taken in hand until their return. He was warmly seconded in this: Sir John Clotworthy, on the other hand, pointing out the urgency of Irish affairs, and desiring that they might but append a short resolution to some propositions agreed upon by the Irish Committee. To the surprise of not a few, however, and of D'Ewes among them, it was found that this debate might have been spared; for, in the midst of it, Glyn and his friends returned. "During the debate," says D'Ewes, "Mr. Glyn and the rest who were commanded to withdraw into the Committee Chamber, having stayed there about a quarter of an hour, now brought down a long Declaration ready penned, which was doubtless prepared and ready written by some members of the House before we met this afternoon." D'Ewes here uneasily refers to consultations with Pym and the rest in Coleman Street, to which he had not been invited; but it is just to him to state, that, throughout the invaluable record he has preserved of these momentous scenes, from which details are here taken hitherto unknown, not even distantly referred to in the Journals of the House, and of which no mention is made in Sir Ralph

do nothing till their return.

They return in a quarter of an hour:

with a resolution written before we met.

D'Ewes not in confidence of leaders:

Verney's or any other memorial, his personal jealousies and dislikes have small weight against the gravity of the facts he reveals.

but his account trust-worthy.

He thus describes the Declaratory Resolution brought back by Glyn: "It contained in substance that his Majesty had yesterday broken the privileges of this House, by coming hither with a great number of armed men, and striking terror into the members. And though we could not sit here in safety, nor properly fall upon the agitation or handling of any business till we had vindicated our privileges, yet our care to uphold this commonwealth, and the consideration of the miserable condition of Ireland, had induced us first to adjourn this House to (and so a blank was left for the day), and to appoint a Grand Committee to sit at the Guildhall in London at 3 of the clock this afternoon, to consider of the means of our safety, and of the assistance of Ireland, and to authorize the select committee of Irish affairs to sit when and where they pleased."

Glyn's Declaratory Resolution.

Proposed adjournment:

Grand Committee to sit in the City.

This having been read by the Clerk, a warm debate arose. The opposition was led by Sir Ralph Hopton, who declared that there was no precedent for what therein was proposed to be done. For his own part, he thought that many excuses might be urged for the King's having come to the House with so great a

Warm debate thereon.

Sir Ralph Hopton.

Did not
we give
first provo-
cation?

And how
gracious
the King's
speech!

Opposes
Commit-
tee and
adjourn-
ment.

"Grand"
commit-
tee alter-
ed to "Se-
lect."

Adjourn
till to-
morrow
at 9
o'clock.

number, and so unusually armed. And then he pleaded a necessity which the King himself had created (assuming this statement of it to be true), to justify the outrage he afterwards committed.

"Had we not ourselves had divers of our servants lately attending in the lobby without the doors of this House, armed also in an unusual manner, with carabines and pistols?"

He begged the House to remember, too, that the speech his Majesty made on the occasion had been full of grace and goodness. In conclusion, adds D'Ewes, "he did not think we could

"appoint a Grand Committee to go into London, nor would he have had us to have adjourned at all." Then followed some warm speaking on both sides; and the time originally named as the limit for the sitting of the House, as well as the hour for assembling elsewhere, had soon slipped away. In the end, D'Ewes

tells us, "we resolved to alter it from a Grand Committee to a Select Committee, and to adjourn the sitting of this House to Tuesday the 11th, and it being between three and four of the clock we did alter our meeting

"this afternoon till to-morrow morning at nine of the clock." Not, however, without a division. Hopton and his friends objected equally to the Select Committee, and insisted upon dividing. "The Speaker," D'Ewes continues, "put the question as followeth: 'As many as are of opinion that a Committee

"shall be appointed by this House to sit at Guildhall in London, let them say Aye, to which there was a great affirmative: and to the negative, a less. Next, the Speaker appointed tellers for the Ayes, who went out (of which number I was), Mr. Arthur Goodwin and Mr. Carew. Their number was 170. And for the Noes, who sat still, he appointed tellers Mr. Kirton and Mr. Herbert Price, and the number was 86, and so it was carried accordingly."*

The naming of the Committee then took place. "And thereupon," continues the precise Sir Simonds, "Sir John Culpeper, newly made Chancellor of the Exchequer, and divers others, were named to sit a committee at the Guildhall in London to-morrow morning at 9 of the clock, and all that would come were to have voices: and they were to consider of the breach of the Privilege

* *Harl. MSS.* 162, f. 308 a. In little more than a fortnight (see *ante* 36, 37), upon the impeachment of the Duke of Richmond (for his famous sally in the Lords upon the Militia Bill being brought under consideration, when he broke in upon sundry grave suggestions as to the day when discussion should be taken thereon, by advising as a greatly preferable course, "an adjournment for six months"), the King's party mustered in larger force, but the popular leaders had made corresponding exertion. The numbers then were 223 led into the lobby by Hollis and Stapleton, to 123 of whom the counters were Culpeper and Herbert Price. From a speech made on the occasion by D'Ewes, wherein he thought the only excuse that could possibly be made for the Duke was his being "a young man," some light may be thrown on the argument, *ante* 198, drawn from his applying a similar epithet to Strode. The Duke of Richmond was now nine-and-twenty. — *Harl. MSS.* 162, f. 356 b.

Division
upon
going into
City.

170
against 86.

Selection
of the
Commit-
tee.

All who
come to
have
voices.

Division
as to Duke
of Rich-
mond.

223
123.

Its duties. " of Parliament by his Majesty's coming yesterday, with other particulars mentioned in the " before-recited declaration." The Committee included, besides Falkland and Culpeper, some ardent Royalists, and several not unfriendly to the King. Among these sat Herbert Price, the member for Brecon; Sir Richard Cave, who sat for Lichfield; Sir Ralph Hopton himself; Sir John and Christopher Wray, the members for Lincolnshire and Great Grimsby; Sir Benjamin Rudyard; the members for Cockerworth and Chippenham, Sir John Hippeley and Sir Edward Hungerford. It comprised, on the other hand, Glyn; Sir Philip Stapleton; William Pierrepont (Earl Kingston's second son, who sat for Great Wenlock), and Nathaniel Fiennes; Bulstrode Whitelock, the member for Marlow; Sir Thomas Walsingham, who sat for Rochester; the members for Westbury and Ludgershall, Mr. Wheeler and Mr. Walter Long; Sir John Hotham; Sir Walter Earle; Sir Robert Cooke, who sat for Tewkesbury; Mr. Grimston and Sir Thomas Barrington, who sat for Colchester; and the members for Devonshire and Hertfordshire, Sir Samuel Rolle and Sir William Lytton. Hyde's name nowhere appears; neither does that of Oliver St. John, the Solicitor-General; and it is still more remarkable that Cromwell's also should be absent. He may possibly have had pressing

Comprises
several
Royalists.

Names
on Com-
mittee.

Hyde, St.
John, and
Cromwell,
absent
from it.

business to occupy him during these few days, on his cousin Hampden's affairs at Great Hampden.

Lord Lisle (Lord Leicester's eldest son, who sat afterwards on the trial of the King), now moved that the Committee so appointed should have power to issue out such money as might be required for payment of the troops to be sent into Ireland. Another resolution connected with Irish affairs was also adopted on the suggestion of Stapleton. And then followed a brief but sharp debate, raised upon a motion by Nathaniel Fiennes, that a message should go up to the Lords to let them know, that, " by reason of his Majesty coming to our House yesterday in such a warlike manner, we had adjourned the House till Tuesday next, at one of the clock, and that we had in the meantime appointed a Select Committee to sit in the Guildhall in London, to which all the members of the House who would come were to have voices, to consider of the breach of the Privilege of Parliament and the safety of the Kingdom." The debate ended in the naming of Mr. Fiennes and divers others to carry up this message accordingly. But the House arose, adds D'Ewes, before he returned, or was able to bring any answer.

Motion by
Lord
Lisle.

Irish
affairs.

Sharp
debate
led by
Fiennes.

Message
to Lords.

Abrupt
rising of
House.

§ XXVIII. A SUDDEN PANIC.

THE House suddenly arose, in truth,

Armed
men
marching
upon us.

Sir John
Clotwor-
thy per-
sists with
resolu-
tions.

Voted
without
being
read.

Disorderly
adjourn-
ment,
4 p.m.

Reasons
for the
fright.

because there had broken out a sudden alarm. It was abruptly bruited at the doors that a body of armed men were in march upon them, and a panic of agitation ensued. Sir John Clotworthy was in the act of urging certain necessary resolutions for the service of Ireland, connected with the supply of men and arms, when shouts of "Move, move," and "Adjourn," interrupted him; and though the imperturbable member for Malden would persist in having what he wanted, the votes were put without the usual forms. "All were allowed," says D'Ewes, "and voted by the House, but in such haste as they would not permit the Clerk to read them." Then, in the like precipitate fashion, adjournment until the following Tuesday at one o'clock was resolved upon the question. Mr. Speaker ordered the adjournment accordingly; and the House rose in extreme disorder "at about four of the clock in the afternoon."

D'Ewes appends to the day's journal an explanation, from which it might seem that the sudden fright had not been wholly groundless. "For," he says, "we had new alarms given us of the coming down of armed persons upon us: and it was generally reported also, that his Majesty had intended to have come down to both the Houses this afternoon, again attended with the desperate troop with which he came yesterday, and to have

"accused some other members, both of our Other members to be ac-
"House and of the Lords House, of Treason, cused and
"and to have seized upon their persons: but seized.
"that, going into the City of London this
"morning, he was there so roundly and plainly City only
"dealt withal by people of all forts, who had pre-
"called upon him to maintain the privilege of vented it.
"Parliament; to follow the advice of his
"Great Counsell in Parliament, without which
"they were all undone" (D'Ewes here appears to be repeating the expressions of some excited friend rather than quietly recording his own) — "and that their blood would cry to Heaven
"for justice—and that they would with their
"lives and fortunes maintain the safety of his Alarm of
"Majesty's person, and the safety and Privi- the King.
"lege of Parliament; some also throwing the
"printed Protestation of the House of Com-
"mons into his coach as he went along; as
"that he both returned late out of the City, Change of
"and altered, it seems, his former resolution."* purpose.

It is now of course not difficult to make Results
light of these alarms, and to smile at their not of 4th
very coherent expression; but we may be sure January.
that they were then very real. It was of the
very essence of the King's attempt that it
should carry such consequences. Whatever
distrust or doubt had been in any direction en- Darkest
tertained of the Sovereign, it confirmed. To rumours
the rumours which had mixed him up with thought
true.

* Harl. MSS. 162, f. 308 b.

Scottish
"Incident:"

very recent and as desperate designs in Scotland against the leaders of the Covenant,* to

Offer of
Montrose
to kill Ar-
gyle and
Hamilton.

Mr. Napier's
disproof
quite
untenable.

The text
of Clarendon.

Chief
value of
Edition
of 1826.

Disclosed
Author's
plans and
text.

History
composed
of two
MSS.

Secretary's
transcript.

Altered
and cor-
rupted by
author's
sons.

* In alluding to this transaction in my Essay on the Grand Remonstrance (*Hist. and Biog. Essays*), and to the statement by Clarendon (*Hist.* ii. 17), that Montrose had "frankly" suggested to the King the assassination of Argyle and Hamilton, I ought perhaps to have mentioned a highly elaborate argument in Mr. Napier's *Life of Montrose* (ii. 78-109), the drift of which is not merely to defend Montrose from having made the offer, but to endeavour to establish that Clarendon's assertion that he had done so was not originally intended to stand as part of his text, and in fact only usurps the place of a suppressed passage restored in one of the Appendices of the edition of 1826. Upon the former part of this argument I offer here no opinion; but upon the latter I have simply to say that it breaks down altogether. It is not for a moment tenable. The text of Clarendon must always now continue in the state wherein he left it himself after his last revision, clearly copied out by his secretary for publication or suppression, according to certain directions in his will; and the chief value of the edition of 1826 will always be, that it enabled us for the first time to read it in that state. The confusion which exists as to the several MSS. left by him, and from which that important collation was made, arises from the fact that several years after he had planned his History and written the first four books, he resolved to recast the plan so as to admit therein of all the incidents of his own Life. He thereupon began an Autobiography; but after pursuing it for some time, he threw it aside, and reverted to his design of a History, making great additions to that which already he had written, and completing it in 1673. His final task then was, to form, from the two MSS. thus drawn up (the Life having gone over, in a more striking way, much of the ground of the first four books of the History), a third text, by taking the MS. of the History for the basis, and importing into it all the material portions and corrections of the MS. of the Life. The result was a fair transcript made by his Secretary under these instructions, which was found completed at his own death, in December 1674. Afterwards came the publication, mainly from a copy of this transcript, by his sons: with the modifications, alterations, and omissions, which, in exercise of the discretion left to them by their father, they had made to please their political friends, or out of delicacy to persons still living; and which so remained until 1826. The edition published that year was the result of an entirely new collation of the three MSS. above named: 1. The original MS. of History; 2. The original MS. of Life; 3. The Transcript constructed

even those which had pointed to him as not Irish rebellion: unconnected with the awful outbreak in Ireland,

out of both. The Editors, lettering the Transcript as A, the Life as B, and the History as C, collated the whole afresh; Restored in Notes every word, sentence, and passage omitted or in any manner altered in A; and, in a series of Appendices, supplied (reforting for the purpose to B and C), in addition to all that the author's sons had rejected, still more which the author himself had already deliberately excluded from the Transcript made under his instructions. We are thus enabled to compare particular statements made by Clarendon in his first draft of the History, with accounts of the same incidents manifestly more authentic, and better considered, which he had subsequently inserted in the Life, and had finally directed to be substituted for the former in his Secretary's Transcript. The reader will at once perceive what I mean, if, to select only one or two out of very numerous instances, he makes comparison of Appendix i. 536 (MS. C.) with i. 416 (MS. B.); or of ii. 61-2, note (MS. C.), with ii. 44-49 (MS. B.); or of Appendix ii. 575-9 (MS. C.), with ii. 13-19 (MS. B). The latter of these instances is that under notice respecting Montrose; and it does not admit of the remotest doubt that the account in the Appendix, taken from the first four books of the History, written before 1648, and afterwards rejected, was meant by Clarendon to be entirely superseded by the account in the Life, written many years later, and, by his own direction to his Secretary, placed in the final Transcript, where it has stood ever since, and must continue to stand. Even apart from the other irresistible evidence, the context so conclusively shows this, that but for Mr. Napier's extraordinary supposition to the contrary, suggested by zeal for his hero, and maintained with an air that imposes on readers superficially informed, the details I have entered into would scarcely have been called for. It is simply ridiculous to pretend that the passage complained of, and (be it true or false) undoubtedly left by not to Clarendon, in the final disposition of his papers, to stand where it now does, could by possibility have fallen into that place by accident. Lords Clarendon and Rochester had no alternative but to print it; and with what reluctance they did so is proved reluctantly by what we now know of their substitution, for "to kill them ance of "both," of the words "to have them both made away." first Edition. The point, however, was well worth clearing, because all the illustrative matter in the 1826 edition requires to be read with careful reference to the fact that the author had deliberately and designedly excluded the greater part of it from his completed text (an instance may be referred to, *ante*, p. 215, note); Additions and it is exceedingly important, in reading Clarendon, to keep in 1826

and Army it seemed to give deadly corroboration. It put undoubtedly beyond further question what the popular leaders had all along maintained, that the design, clearly proved, of bringing up the army from the North, had had for its specific object to overawe themselves and suspend the action of Parliament. Clarendon speaks as if the failure of the Arrest sufficed to show its futility, and there an end. But he

King's
suspected
share in.

not to be confused with restorations. the distinction always in view between that description of new matter supplied in the 1826 edition, and the more essential restorations reconstituting the original text, which had been corrupted and falsified in innumerable instances by his sons, Lords Clarendon and Rochester, in preparing the first edition. The portions first printed in Notes and Appendices in 1826 are of two kinds: i. The restoration of the text to the condition in which Clarendon himself had left it, by restoring suppressed passages, and replacing modified or altered phrases and sentences: ii. The additional illustration of the text by supplying further notices or amplifications of special incidents treated therein, from the two manuscripts, B and C, which I have above described: and the degree of authority given to either should be regulated according to the facts here supplied. I close, as I began, by stating most expressly that, according to all the evidence we possess, it must have been, and was, the deliberate intention of Clarendon, upon reviewing all the materials he had collected, to convey to the readers of his History, as his own final impression, that Montrose had "frankly" proposed to the King the assassination of Argyle and Hamilton. Upon the probability or otherwise of such an offer having been made, it is not necessary that I should here give an opinion; but it is impossible to read the text in connection with the Appendix (of which, taken together, it is important to remark, as Mr. D'Irasci in his *Commentaries*, ii. 242-52, ed. 1851, has pointed out, that they are not in any respect irreconcilable), without an inference, amounting almost to certainty, that the King himself was Clarendon's informant. And the explanation of the two accounts may probably be, that, writing while Charles still lived, Clarendon preferred to express the matter in paraphrase; but that, writing of the incident at a later time, after the king's death, he had no hesitation in putting it, as he says Montrose did the proposal, "frankly."

Two
kinds:

weight re-
spectively
due to
each.

Charge
deliberate-
ly intend-
ed.

The King
its autho-
rity.

Why
first ver-
sion of it
changed.

well knew that this was not so; and that it was less the first excitement attending so startling an attempt wherein its troubles and danger consisted, than in its subsequent more enduring effect upon men's modes and ways of regarding public affairs. He unconsciously admits as much in another passage of his History, when he remarks that everything formerly said of plots and conspiracies against the Parliament, which before had been laughed at, was now thought true and real; and that all which before was merely whispered of Ireland, was now talked aloud and printed.

Conse-
quences of
outrage
worse than
itself.

Belief ob-
tained for
grossest
charges.

The various letters of the time are filled with similar indications. "All things are now in so great distraction here," wrote Captain Carterett on the day after this sitting of the House, "that there is no thinking of doing anything; but every-body are providing after their own safety as if everything were inclining to ruin." "By the next post," writes Mr. Wiseman, "you may expect to hear of great changes either for the better or worse. The times are dangerous to discourse what I might. Only if God, in his great mercy, does not speedily look upon us, we are like to perish. The obedience of his Majesty's subjects hath been poisoned." The incidents of the 3rd and 4th of January, in short, had drawn up into hostile forces two powers in the

Captain
Carterett's
fears.

Mr. Wise-
man's.

Obedience
poisoned.

Powers of State whose agreement was essential to its welfare, but which never more could act in concert or unison till the struggle between them was over, and a victory won. This was a fact pregnant with general alarm for all men, and most for the thoughtful and reflecting.

Specific causes of alarm.

Neither were reasons wanting for specific and well-grounded alarm as to the actual personal safety of the accused and other members of both Houses. From the very writer who laughs to scorn the notion that there was any sort of danger, we may learn what, and how great, the danger was. It is Clarendon, as we have seen, who relates the plan by which his friend

Digby's plan for securing members.

Lord Digby, according to him the sole adviser of the attempt, proposed to redeem its failure by seizing himself upon the accused, backed by sufficient numbers to render it certain that they must either be taken or left dead in the place. It is Clarendon who says, that, if the King had not withheld his consent, without doubt Lord Digby would have done it. It is Clarendon who drily remarks upon that presumed success to a plan so atrocious, that it "must have had a wonderful effect." Above all it is Clarendon

King withholds consent.

Clarendon's own plan.

To seize and throw them into separate prisons.

who, by way of practical proof of his assertion that no personal danger could possibly have befallen the accused, actually puts forward a plan of his own by which, taking good care first to secure and lock up separately the persons of the five leaders, he fancies that such

a blow might have been struck at what he calls "the high spirit of both Houses" that Charles might have reduced them to treat, and so have forced them to his own terms.*

§ XXIX. HOW HISTORY MAY BE WRITTEN.

THE assertion that the Five Members were at no time in any personal danger, admits but of one comment. It is not true. Conclusive proof has been given, in a former work,† of the faithlessness and untrustworthiness of Clarendon as any safe guide to a knowledge of the events for which Hume accepted him as the sole and implicit authority, and in which his lead has been more or less followed by every later historian. But if further similar evidence be desired, let me supply it by simple comparison of his account of the sitting of the House of Commons of Wednesday the 5th of January, with that which I have above derived from the manuscript of Sir Simonds D'Ewes, and from other contemporary sources. Until now, Clarendon's was the only account preserved to us of that sitting, except a memorandum of eight lines by Sir Ralph Verney, and another by Rushworth of exactly the same

Faithlessness of Clarendon.

Unsafe guide.

Comparison with D'Ewes.

Verney and Rushworth.

* See *ante*, pp. 143, 149, and 153, where the authorities are given for these various assertions.

† Essay on the Grand Remonstrance. See *Hist. and Biog. Essays*, i. 1-175.

extent.* The record by D'Ewes was made on the day to which it refers; it is confirmed by Verney's and by Rushworth's notes; and its veraciousness is beyond question.

Statement
by Clarendon.

"When the House of Commons next met," says Clarendon in his History,† "none of the

Alleged
tone of
members'
friends.

"accused members appearing, they had friends enough, who were well instructed to aggravate the late proceedings, and to put the House into a thousand jealousies and apprehensions, and every slight circumstance carried weight

Verney's
account of
sitting of
5th.

* Sir Ralph Verney says: "Wednesday, 5th Jan^r. 1641. The House ordered a Committee to sit at Guildhall in London, and all that would come had voices. This was to consider and advise how to right the House in point of privilege, broken by the King's coming yesterday, with a force, to take members out of our House. They allowed the Irish Committees to sit, but would meddle with no other business till this were ended. They acquainted the Lords in a message with what they had done, and then they adjourned the House till Tuesday next." (Verney's Notes, 139-40).

Rushworth's
account.

Rushworth says (part III. vol. i. 478-9): "The Commons sent Mr. Fiennes with a message to the Lords to give them notice of the King's coming yesterday, & that they conceived it a high & great breach of privilege: & to repeat their desires that their Lo^{ps} would join them in a petition to the King that the Parliament may have a Guard to secure them as shall be approved of by his Majesty, and both Houses; and also to let them know, that they have appointed a Committee to sit at Guildhall London, and have also appointed the Committee for Irish affairs to meet there." Then he quotes the order passed for adjournment to the City, on the ground "they cannot with the safety of their own persons, or indemnity of the rights & Privileges of Parliament, sit here any longer without a full vindication of so high a breach, & sufficient Guard wherein they may confide:" to which, after appending the names of the Committee, and that all who will come are to have voices, he adds: "and then the House adjourned till Tuesday the 11th of January at one in y^e afternoon, according to the said Order."

Adjournment to
City.

† *Hist.* ii. 132, 133.

"enough in it to disturb their minds. . . .

"They who spake most passionately, and

"probably meant as maliciously, behaved

"themselves with modesty, and seemed only

"concerned in what concerned them all: and

"concluded, after many lamentations, that they did not think themselves safe in that House,

Affected
fears and
griefs.

"till the minds of men were better composed;

"that the City was full of apprehensions, and

"was very zealous for their security; and

"therefore wished that they might adjourn the

"Parliament to meet in some place in the City.

Proposal
to adjourn
Parliament.

"But that was found not practicable; since

"it was not in their own power to do it, with-

"out the consent of the Peers and the concur-

"rence of the King; who were both like

"rather to choose a place more distant from

King's
wish to get
Parliament
away from
London.

"the City. And, with more reason, in the end

"they concluded, that the House should

"adjourn itself for two or three days, and

"name a committee who should sit both

"morning and afternoon in the City; and

Appoint-
ment of
Committee.

"all who came to have voices: and Mer-

"chant Tailors' Hall was appointed for the

"place of their meeting, they who served

"for London undertaking that it should be

"ready against the next morning: no man

"opposing or contradicting anything that was

"said; they who formerly used to appear for

Royalists
silent.

"all the rights and authority which belonged

"to the King, not knowing what to say,

Three
King's
advisers:

too de-
jected to
speak.

Claren-
don's ac-
count
summed
up.

Five speci-
fic state-
ments, all
untrue.

Confront-
ed with
D'Ewes,
Verney,
and Rush-
worth.

“ between grief and anger that the violent
“ party had, by these late unskilful actions
“ of the Court, gotten great advantage, and
“ recovered new spirits : and the three persons
“ before named ” (himself, Culpeper, and
Falkland), “ without whose privity the King
“ had promised that he would enter upon no
“ new counsel, were so much displeased and
“ dejected, that they were inclined never more
“ to take upon them the care of anything to
“ be transacted in the House.”

This account contains five alleged facts.
1. That the popular party went down to
the House with a proposal for the adjourn-
ment of Parliament. 2. That the proposal
substituted was an adjournment of the House
itself for two or three days. 3. That Mer-
chant Tailors' Hall was appointed as the place
of meeting for a Committee named to sit in
the interval, the members for London under-
taking to have it ready the next morning.
4. That no man belonging to the King's
party opposed or contradicted anything that
was said. 5. That Hyde, Culpeper, and Falk-
land, were too much displeased and dejected
to show any present inclination to take upon
them the care of anything to be transacted in
the House.

On the other hand, the account preserved by
D'Ewes, and confirmed in every respect by
the brief notes of Verney and Rushworth, as

well as by the unpublished contemporary let-
ters here adduced, furnishes a counterstatement
to every one of these averments. 1. There
never was mooted so absurd a proposition as
to adjourn Parliament. The course had doubt-
less been concerted, as D'Ewes somewhat pet-
tishly intimates, with the absent leaders; and
the Declaratory Resolution was proposed and
carried, as, prepared and ready written, it
had been brought to the House. 2. The
limit of adjournment was at once distinctly
specified as Tuesday the 11th January, and
it will be seen hereafter that the historian was
not without a motive in substituting the
loose and undetermined “two or three days.”
3. Guildhall was from the first named and
appointed, and not Merchant Tailors' Hall,
as to which, therefore, the question of getting
it ready could hardly have arisen. 4. So
far from no man belonging to the King's
party contradicting or opposing anything that
was said, Sir Ralph Hopton (the King's servant,
as Rushworth calls him) contradicted every-
thing that was said without scruple; and the
opposition was so determined that the Royalists
divided 87 against the proposal of Glyn, which
was four more than the division of the 15th of
December against the printing of the Remon-
strance. 5. Hyde undoubtedly took no part,
and was probably not in the House; but
Culpeper and Falkland were named for the

Never pro-
posed to
adjourn
Parlia-
ment.

Limit of
stay in
City speci-
fied.

Merchant
Tailors'
Hall not
named.

Royalists
not silent.

Culpeper
and Falk-
land on
Commit-
tee.

Committee to sit during the recess, and served upon it.

§ XXX. ADJOURNMENT AND SUSPENSE.

Master-stroke of meeting in the City.

Necessity of suspending Westminster sittings.

Policy of appealing to Citizens.

Alleged absence of danger.

THE adjournment into the City was undoubtedly a master stroke of policy. The act of violence committed, the continued presence of the Court of Guard at Whitehall, the refusal of its officers to disband upon a message sent specially from the Commons on the morning of the 5th, the petition to the King for a Guard still uncomplied with, were all manifest and unanswerable grounds for suspending temporarily the sittings at Westminster. But the House could not afford that its visible action and influence should be withdrawn, even for an hour; and to sit by Committee in Guildhall, was not merely to make instant appeal, in the least resistible form, to the sympathy and support of the Citizens, but at once to cast in the fortunes of the House with the fate of the five accused, who had taken refuge in a house in Coleman Street. Clarendon laughs at the notion of any member of the Commons conceiving for a moment that his accused colleagues were in the least danger. Not that the Five durst not, he avers, venture themselves at their old lodgings, for no man would have presumed to trouble them; but that the City might see that they relied upon that place for a sanctuary of their privi-

leges against violence and oppression.* He says, as in a passage formerly quoted we have seen, that all cause for apprehension ceased upon the failure of the outrage of the 4th; and that nothing could equal the contempt the accused themselves felt for the power, of which they yet affected to put on a considerable show of dread. This last was merely “to keep up the apprehension of danger and the esteem of their darling the City.”† But let us observe what tone, on the other hand, is taken by Admiral Pennington’s well informed correspondents; men not alone intimately acquainted with all the movements of the Court, but the most important of them himself in office, and enjoying the confidence of the principal Secretary of State. It never once occurred to these men, at least until the shout of Privilege of Parliament was become universal, and the King had fled before it, that his impeachment of Pym and Hampden would be, or was meant to be, a mere dead and empty letter. For several days after the articles of accusation were published, the accused are spoken of everywhere, in each and all these letters, as men whose fate absolutely is hanging in the balance.

Mr. Wiseman, four days after the outrage, fears it to be impossible but that the affair will have bloody issue, because the House is

* *Hist.* ii. 130.

† *Ib.* ii. 178.

Fears pretended:

to get help from “darling” City.

But what say private letters in State Paper Office?

Serious alarm at impeachment.

Fate of members in balance.

Wiseman’s view.

the
Under-
Secre-
tary's :

Captain
Carter-
rett's :
7th Janu-
ary.
S.P.O.

Gives no
opinion,
but states
the fact.

Vote of
House for
the ac-
cused.

Serjeant
Dandie
gone to
seize them.

not more determined than the King still appears to be. The Under Secretary of State writes in doubt, on the third day after the failure of Charles's attempt at the House, whether the accused are not actually fled. And, on that same day, Captain Carterett describes his apprehension that there must be serious disturbance before all things could be rightly understood, for that many would have the accused members to be brought to their trial, and others not, saying it was against the privileges and liberties of the Parliament. "I am not wise enough," continues the honest seaman, "to distinguish the Right of it, but this I am certaine, that our good King is much abused. On Tuesday hee went to the House of Commons to demand those men which were accused, but noe answer was given him. Yesterday hee went into the Citty, and after he had spent some tyme in Guyldhall (to give satisfaction of his good meaning towards his people), he went to one of the Sheriffs to dinner. The two Houses have adjourned untill Tuesday nexte; and this day there was a Committee of both the Houses in Guyldhall, where they have voted that those men accused shall not be apprehended nor detained, soe that I feare very much that this will increase the disturbances of the tyme. This day, one Serjant Dandie went into London to take the accused men to apprehend them, where

"hee was much abused by the worfe sort of
"people. My wife is yr humble servant and
"wishes you a mery new yeare, and soe doth

"G. CARTERETT."

Strange, if what Clarendon says be true, that the King should have laboured so hard to bring upon himself the quite needles and gratuitous suspicion, and upon his agents and officers the abuse and hatred, of even the "worfe sort" of his people! I have shewn that with his own hand, on the evening of his return from the City, Charles had drawn up the proclamation against such as should continue to harbour the traitors; and on the following morning, it is placed beyond doubt by Captain Carterett's statement, one of the Royal serjeants was dispatched into the City to endeavour again to complete the arrest. To what extent moreover, in the City itself, all this was thought to favour of an actual and present danger, I am further able to show on the testimony of a friend of the Earl of Northumberland's. "My noble
"Compeer," writes on the 7th of January the secretary of the Lord Admiral to the Admiral commanding in the Downs: "Though I writt
"to you soe lately, yet I cannot choose but
"give you y^e occurrences of y^e time. They
"being of such importance. The six Delin-
"quents continue in y^e Citty, and are there pro-
"tectd against y^e King's mind. This breeds
"displeasure in him, feare in all. Some have

Attacked
by the
people.

Obstinate
resolve of
King.

Thomas
Smith to
Penning-
ton :
7th Janu-
ary.
S.P.O.

Protection
of accused
against
King.

King will use force. "persuaded y^e K. to raise force to fetch y^m out. This made y^e Cittie last night to bee all in armes, and y^e gates and Portcullises to bee shut; and for ought I heare, are so yet. The Cittiz^{ns} delivered a Petition yesterday, humbly beseeching his Ma^{tie} that those men might be proceeded ag^t in a Parliamentary way: no answer yet. 'Tis beleev'd y^e Cittie is resolved to protect y^m. Some well affected Nobles to both sides do labor to pacifie the K. Some ill affected labor as much to bring all to confusion with false tales. Wee knowe both. God help us! Your true Friend and humble servant,

THOMAS SMITH."

City resolved to resist.

"God help us!"

Slingsby to Pennington: 6th January. S.P.O.

M.P.s discourfing of adjournment to City.

Many refuse to go.

This letter outruns by a day the point at which our narrative had arrived, but another remains to be cited which will take us back to that rising of the House at Westminster on the 5th January, preparatory to the sittings in Guildhall. "The House yesterday," wrote Captain Slingsby on the 6th, "were very high againe, and, I perceive, not resolved to deliver the men in that are impeacht: they adjourned the House till Tuesday nexte, before w^{ch} time the King shall have no answer: but in the meantime a Committee of the whole house to meete at Guyldhall. This day, being in the Privy Chamber, I heard some Parliament men discourfing of it. Some sayd they would not go to Guyldhall, because the men impeacht wold be there: and, since the rest

"would not deliver them, they might be all accessories.* The House is yett very thinne; as I am tould, above 200 of them in the country, who can not come up according to the Proclamation, by reason of the great floodes; many in the towne forbearing to come there. There is no other discourf but of open armes, if those men be not brought to tryall. The ill affected Partie (w^{ch} are those y^t follow the Courte) doe now speake very favourably of the Irish; as those whose grievances were great, there demaunds moderate, and may stand the Kinge in much stead: many libells printed against the King."

Fear to be thought "accessories."

Threats if accused not given up.

Royalists begin to favour Irish.

No printed libel, however, it is much to be feared, could possibly have been worse than this written one, of which Captain Slingsby is here unwittingly the author. It has been always one of the gravest of the Royalist charges against Pym, that in his famous speech before the Upper House delivered in a week from this date (wherein he warned the Lords of the danger it might prove to themselves if they left the great task of saving the liberties of the kingdom to the House of Commons alone), he advanced a charge, unsupported by any kind

Pym's heaviest charge proved true.

* Precisely the argument used in the House of Commons Hol- itself by Hyde's friend and fellow "rat," Holborne (*Hist. and borne's Biog. Essays*, i. 170), famous once for his splendid argument against ship-money, delivered amid clapping of hands and shouts of popular delight which the judges found it impossible to restrain.

Sympathy
with Irish
rebellion.

of proof, against the King and the King's friends, that so far from entertaining any laudable eagerness to bring to condign punishment the leaders of the cruel massacre and rebellion in Ireland, they had given the Houses too much reason to suppose that they felt towards them sympathy and favour. Can it be said, after reading what is written by Captain Slingsby, that Pym had not good authority for the charge he made?

§ XXXI. COMMONS' COMMITTEE AT GUILDHALL.

Thursday
morning,
6th Janu-
ary.

MEANWHILE the Committee at Guildhall, doubtless not greatly caring whether Captain Slingsby's friends may please to join them this day or not, have punctually assembled at the Guildhall on the morning of the 6th of January, and are now awaiting us.

No exist-
ing report
of pro-
ceedings.

Of the proceedings of that Committee, beyond the fact that they took evidence as to the incidents of the 3rd and 4th which were subsequently reported, no account exists except in these valuable notes of D'Ewes. The Journals of the House are entirely silent during the interval from the 5th, the day of adjournment, to the 11th, that of reassembling. Rushworth devotes to those days only a few lines, in which he makes brief allusion to the evidence which was taken in the course of the sittings. Sir Ralph Verney mentions but the

Slight no-
tices in
Rush-
worth and
Verney.

six resolutions* that were passed, on the days when the Committee sat at Grocers' Hall, in reference to the breach of privilege committed. Clarendon, not affecting to give particular account of anything, confuses everything. D'Ewes alone, who attended the Committee each day at Guildhall and at Grocers' Hall, has preserved anything like a regular record of its proceedings. And this is here given to the world as D'Ewes set it down each day. Confusions of Clarendon. A regular record by D'Ewes.

He begins his journal of Thursday the 6th of January, by stating that a great number of the House met at the Committee at the Guildhall, in London, that forenoon about ten of the clock. "I came thither about eleven of the clock. We sate in the room within the court into which the juries do ordinarily withdraw." Where the Committee sat.

They had been greeted, on arrival at the committee room, by a deputation of the leading members of the Common Council, in their robes and chains; and a military guard composed of some of the wealthiest of the citizens, every man having his footman in suit and cassock with ribbons of the colours of his company, was in close attendance during all their sittings. Nor were the good old hospitalities of the City wanting; and D'Ewes has more than once to suspend his report that he Welcome of the Citizens. Military guard in attendance.

* See Notes, 140-141.

City hospitalities.

"Great cheer."

First matter debated.

Searching lodgings, and sealing up papers.

Issuing illegal warrants.

may inform us, that about one of the clock he withdrew out, intending to go away, but coming into the Hall he found a feast prepared for the entertainment of the members, whereat he dined before he departed, and they had "great cheere."

The first matter they fell upon at the Guildhall, D'Ewes proceeds to tell us, was the unjust and illegal proceedings against Pym and the other members, instituted by the King's Attorney in the Lords' House on the previous Monday. What Grimston had treated generally in his very able address, was now to be handled in detail. "It was first debated and resolved " that the said impeachment there was illegal " and a breach of the privilege of Parliament. " Then they fell in debate, which continued " when I came in, that the sealing up of the " doors of the chambers and studies of the " said Mr. Pym and Mr. Hollis, on Monday " morning last, was a breach of the liberty of " the subject and of the privilege of Parliament; and this was also voted upon the " question. Then we fell in debate concerning the King's issuing out warrants, signed " with his own hand, to Mr. Francis and others " his Serjeants-at-Arms, to attach their " bodies: that they were illegal, and against " the liberty of the subject and the privilege " of Parliament." *

* *Harl. MSS.* 162, f. 309 a.

The Committee thus wisely began at the beginning, questioning the Attorney-General's proceeding by impeachment before discussing the outrage that followed. The solitary argument of any weight that is used by Clarendon in palliation of the conduct of the King, assumes that the popular leaders claimed their privilege of Parliament as an immunity even from the charge of treason: we shall now see on what foundation this rests, and with how much truth any argument based thereon could be urged. Upon the last proposition as to the warrants of arrest, a debate arose, in which Nathaniel Fiennes and one or two more took part; and in the course of it a suggestion was made that the Committee should send to Mr. Brown, the Clerk of the House of Lords, for a copy of the proceedings in that House against the five members of the Lower House. Upon this D'Ewes arose, and made certainly the most able speech, most serviceable in knowledge and illustration, and going most directly to the points in issue, of any from himself that he has recorded in his Journal. Its reception by the Committee generally, is honourable evidence of their temper and spirit.

"I did desire," he says, "that we might not send for the copies of any proceedings which had been there printed against the said members of our House. We were not truly to take notice of such, because these

Attorney-General's proceedings first questioned.

Motion to send for warrants.

Refuted by D'Ewes.

Speech by D'Ewes.

Explains
privileges
against
arrest. “ proceedings against our own members are
“ first to begin in our own House. For there
“ is a double privilege we have in Parliament :
“ the one final, the other temporary. Our
“ final privilege extends to all civil causes, and
“ suits in law : and this continues during the
Final, and
tempo- “ Parliament. The other privilege, which is
rary. “ temporary, extends to all capital causes, as
“ Treason or the like, in which the persons
“ and goods of the members of both Houses
“ are only freed from seizure till the Houses
“ be first satisfied of their crimes, and so do
“ deliver their bodies up to be committed to
Why such
distinc- “ safe custody. And the reason of this is
tion. “ evident, because their crime must either be
“ committed within the same Houses, or with-
“ out them. As for example. If any mem-
“ ber of the House of Commons be accused
“ for treasonable actions or words, committed
“ or spoken within the walls of the same
“ House, then there is a necessity that not only
“ the matter of fact, but the matter of crime
“ also, must be adjudged by that House; for
When the
House to
judge as to
fact and
penalty : “ it can appear to no other court what was
“ there done, in respect that it were the highest
“ treachery and breach of privilege for any
“ member of that House to witness or reveal
“ what was done or spoken therein, without
“ the leave and direction of the same House.
“ And if it be for treason committed out of
“ the House, yet still the House must be

“ first satisfied with the matter of fact, before ^{When as}
“ they part with their members; for, else, all ^{to fact}
“ privilege of Parliament must, of necessity, ^{only.}
“ be destroyed. For, by the same reason that
“ they accuse one of the said members, they
“ may accuse forty or fifty upon imaginary and ^{Otherwise}
“ false treasons, and so commit them to custody ^{House}
“ and deprive the House of their members. ^{might be}
“ Whereas, on the contrary side, the House ^{thinned}
“ of Commons hath ever been so just as to ^{at plea-}
“ part with such members when they have ^{sure.}
“ been discovered. As in the Parliament de ^{Yet mem-}
“ A^o 27^o of Queen Elizabeth, Doctor Parry, ^{bers guilty}
“ being a member of the House, was first ^{to be fur-}
“ delivered up by them to safe custody, and ^{rendered.}
“ afterwards arraigned and condemned of high
“ treason, and executed for it: And so like-
“ wise in Mr. Copley's case. In the Parlia- ^{Examples}
“ ment in the last year of Queen Mary, he ^{given.}
“ spake very dangerous words against the said
“ Queen; yet it was tried in the House of
“ Commons, as appears in the original journal-
“ book of the same House, and the said
“ Queen, at their intreaty, did afterwards
“ remit it.”

Cries of “ well moved,” now rewarded “ Well
the firm yet moderate reasoning,* and the apt moved.”

* Substantially this argument does not differ from that which Clarendon says he took occasion to urge upon the House in pointing out to them (*Hist.* ii. 139) that privilege Why ap- of parliament did not run in cases of treason, felony, or plaud breach of the peace: but how is it that what was heard from D'Ewes?

Fair and
just temper
of Com-
mittee.

No desire
to be irre-
sponsible.

and object to Hyde?

Answer
suggested.

Doggrel
"Five
Members'
March."

constitutional learning, of the logical and well-read member for Sudbury: but these cries, grateful as he tells us they were to him, are to us the still more valuable testimony of a fair and just temper in the Committee itself, upon a question where Clarendon would have us believe the repeated asseverations he makes, that no man was for a moment listened to who attempted to explain what the law really was, or who asserted that a member of Parliament might have his responsibilities like any other citizen.

D'Ewes with such approving cries, should have been received from the lips of Hyde with, as he is anxious to have us believe, noise and clamour, with wonderful evidence of dislike, and with some faint contradictions that no such thing ought to be done whilst a parliament was sitting? (See ante, 212-16.) The solution of this, as already I have ventured to suggest, appears to be that Hyde made no such speech; and that the assertion is a mere confusion of his memory between what he did or did not say, and what he had afterwards felt that he might have said. The charge he brings both in his History and his Memoir, as though the House claimed in these transactions to override both the judges and the law itself, is but another form of the doggrel Five Members' March, of which two or three out of the score of stanzas may amuse the reader.

"And let no wights henceforth presume
To hold it rime or reason,
That judges shall determine what
Is Felony or Treason.

But what the Worthies say is so
Is Treason to award,
Albeit in Council only spoke
And at the Council-Board.

* * *

And for this Sea of Liberty,
Wherein we yet do swim,
Gramercy Kimbolton and Strode say I,
Hastlrig, Hollis, Hampden, Pym."

"But," proceeded D'Ewes, "for the case of D'Ewes
these gentlemen that are now in question, it resumes.
doth not yet appear to us whether it be for
a crime done within the walls of the House
of Commons or without: so that, for aught
we know, the whole judicature thereof must
first pass with us. For the Lords did make an
Act Declaratory, in the Parliament Roll de
A^o 4^o Ed. III. N^o 6^o, that the judgment of
Peers only did properly belong to them; so
as I hold it somewhat clear that these gentle-
men cannot be condemned, but by such a
judgment only as wherein the Lords may
join with the Commons, and that must be
by Bill. And the same privilege is to the
members of the Lords' House. For we
must not think that if a private person
should come there and accuse any of them
of treason, that they will at all part with
that member, or commit him to safe custody,
till the matter of fact be first proved before
them. 'Tis true indeed, that, upon the
impeachment of the House of Commons
for Treason or any other Capital Crimes,
they do immediately commit their members
to safe custody: because it is, first, admitted
that we accuse not till we are satisfied in the
matter of fact; and, secondly, it is also
supposed in law that such an aggregate body
as the House of Commons is, will do
nothing *ex livore vel ex odio*, seeing they are

Asto cases
where
Lords
join.

Privileges
claimed by
both
Houses.

Impeach-
ment by
Lower
House:

compels
surrender
of the
person.

Malice not
presum-
able.

“entrusted by the whole Commons of England with their estates and fortunes.”

Conclusion by
D'Ewes.

Sir Simonds closed his calm and temperate exposition with a decisive assertion of opinion. “So as upon the whole matter,” he said, “I conclude that the proceedings against these five gentlemen have been hitherto illegal; and that we ought to demand safety for their persons to come and sit amongst us, till their crime shall be proved before us.”

Loud acclamation.

Then, as he resumed his seat, he proceeds to tell us with pardonable complacency, “there followed a loud acclamation of *Well moved*, and Mr. Glyn spake after me, and said that I had abundantly and very well cleared this point both with authority and reason.”

Glyn's speech:

But Glyn's speech was remarkable for more than this. Some passages of it were hardly less solid and weighty than Grimston's. Speaking from the question of the Warrants to the general consideration of breach of their privileges, he struck more nearly and directly than Grimston had done at the evil councillors, by whom misunderstandings had been for a long period assiduously raised and encouraged between his Majesty and that House. These

aimed at such counsels as Hyde's.

Private informers of the King.

men, he said, and such as these, had been, and were still, casting aspersions, and spreading abroad evil reports, not only of the members, but of the proceedings of the House of Commons against them and others of their

favorites. For himself he would say that, of all breaches of the privileges of Parliament, none more grave could be committed than to inform his Majesty of any proceedings in the House of Commons, upon any business whatsoever, before they had concluded, finished, and made ready the same, to present to his Majesty for his royal assent thereunto. Further, he said, it was in his view a breach of Parliamentary privilege to misinform his Majesty contrary to the proceedings in Parliament, thereby to incense and provoke him against the same. And to all men it was visibly a most manifest breach of privilege, to come to the Commons House sitting in free consultation, and there, assisted and guarded with armed men, to demand as it were *vi et armis* any members singled out and accused, without the knowledge or consent of that House.

Spies in the House.

Manifest breach of privilege.

Mr. Glyn had evidently, in the absence of the member for Tavistock, assumed in the Committee the place of leader to the popular party; and, quietly taking their places by his side, as of right entitled to claim the next rank to that which all seem at once to have conceded to Glyn's distinction as a lawyer and his position as member for Westminster, we find, among the most active and influential, young Sir Harry Vane, Nathaniel Fiennes, Grimston, Maynard, Alderman Pennington, Stapleton the member for Boroughbridge, and Wilde

Glyn has taken leadership.

Chiefs under him.

the member for Worcestershire, who occupied the chair of the Committee more frequently than any other member.

D'Ewes's
argument
on privi-
lege.

Glyn had spoken truly in the compliment he offered to the learning and discrimination of the member for Sudbury. D'Ewes had argued the matter of privilege, taking the King's proceeding as the basis or starting point, upon incontrovertible grounds. He had anticipated and repelled the false insinuations of Clarendon, and now, covered by Glyn's authority against such further objections as were made, he carried the committee with him to a position from which their right to resist was unassailable. Without minutely discussing a question which can no longer, with our settled and ascertained rules of procedure, be viewed exactly as it presented itself in those days, it is clear that the mere breach of privilege, gross as it was, was not the King's worst offence on that miserable day. Whatever, assuming that a case existed on which to take proceedings at all, the form of those proceedings should strictly have been, whether by impeachment of the Commons themselves, or by indictment preferred to a grand jury, the method taken by the King leaves quite immaterial. When Clarendon asserts that "if the judges had been compelled to deliver their opinions in point of law, which they ought to have been, they could not have avoided

A firm
position.

More than
one ques-
tion at
issue.

Claren-
don's
evasion.

"the declaring, that by the known law, which had been confessed in all times and ages, no privilege of Parliament could extend in the case of treason,"* he knows perfectly well that he is not raising the real issue.† There were a dozen violations of the known and settled law to be dealt with, before that could even come to be considered. Each step had been an outrage. Hyde was too good a lawyer not to be perfectly aware, that, so far from the King's having anything like the power he had assumed to exercise in this case, even an ordinary magistrate or justice of peace had a power superior to the sovereign's. The King was in

Not one
but many
breaches
of law.

King
powerless
to arrest.

* *Hist.* ii. 193.

† I find remarkable evidence, in a letter written the morning after the King's attempt, of how clearly, in opposition to all these false statements and reasonings of Clarendon, the nature of the outrage which had been committed was discriminated by impartial bystanders, and how accurate and unexaggerated was the measure taken of the breach of privilege involved. Mr. Thomas Smith writes from York House (built for Buckingham when Lord-Admiral, and since occupied by holders of that high office), on the 5th January, to his "true friend" Admiral Pennington. "Since the im- peachment and sending of the Bpps. to the Tower, His Ma^{tie} hath sent y^e Attourney Gen^{le} to y^e Upper House to accuse my Lo. Mandeville, Mr. Pym, Mr. Hollis, Mr. Strode, Mr. Hampden, and Sir Arthur Haslerig, to be guilty of High Treason. This was done on the 3^d of January. The Houses are much displeased at this manner of proceeding because, say they, Kings ought not to be the accusers of their subjects; and they complain that in y^e manner of managing this business y^e King hath done many things tending to breach of Privilege. As Sealing up their studies, w^{ch} y^e Parliam^t hath opened againe, and imprisoned those y^t sealed them. [And sending] his Sergeants into the House of Commons to attack y^e persons of some who are supposed to be delinquents, &c. The Lords gave answer that if a Parliamentary Charge were given in against those Delinquents, they would be Committed to custody, but till y^a they would not. The Kynge, offended that they were

Just opi-
nions as to
arrest.

Smith to
Penning-
ton;
5th Janu-
ary.

King not
to accuse
Subjects.

Each step
an out-
rage.

Subject
may do
what King
cannot.

Shame of
Attorney-
General.

Makes
apology
through a
friend.

Discon-
tent with
the King.

reality powerless. He could not draw up the impeachment. He could not carry it to the Lords by his Attorney. He could not serve it in the Commons by his Serjeant-at-arms. He could not in person arrest under it. And for the manifest reason that, presuming a wrong to be done by such means, the subject would be left without a remedy. "A subject," said Chief Justice Markham to Edward IV,* "may arrest for treason; the King cannot; for, if the arrest be illegal, the party has no remedy against the King."

So strongly did the Attorney General, indeed, afterwards feel the humiliation in which considerations of this kind involved him, that upon the proceedings subsequently taken against him, he requested the Lord Keeper to interest himself with one of his friends who sat in the lower House for Nottingham, Mr. Francis Pierpoint, third son of Lord Kingston, to offer an apology for his breach of the law. This curious passage, also revealed to us by D'Ewes, has already been quoted in a note †; but it seems impossible to understand, if

"not restrained, came the next day himself in person well guarded into y^e Commons' House (a thing never heard of before) to demand y^e persons; but they were at that tyme absent, and do still absent themselves. The King much displeased departed, and is this day gone himselfe into London to have y^m pclaimed Traytors. These violent proceedings of the King's give much discontent everywhere, and we are daily in feare of uproares; yet all care is taken to prevent mischief."

* Quoted by Lord Macaulay in his *Essays*, i. 67.

† *Ante*, 128. My late extracts from the D'Ewes Journal will be found in *Harl. MSS.* 162, ff. 308 a and b, and 309 a and b.

Herbert really felt the "trouble" of mind alleged, and saw before him so clearly the consequences of his act, how an officer of so much experience should have suffered himself to be overborne in a matter where he was certain himself to be the first victim. One is rather disposed to conclude with Mr. Strode, in the pregnant remark he threw out on the occasion of Pierpoint's intercession, that he believed Mr. Attorney did not only contrive the same, but knew of the design itself also; for he was a man of great parts, and well skilled in state matters. The incredulity was at least pardonable.

But we left the debate of the 6th of January before it closed, amid the cries of approval which followed the speeches of D'Ewes and Glyn. Divers, D'Ewes proceeds to tell us, afterwards spoke respecting the warrants which purported to have been issued out under the King's hand, and no one ventured to assert their legality. The speeches all went to one result. That such warrants could not be good: that the sovereign was himself a party against all capital offenders: that, being entitled on conviction to have their lands and goods, he could therefore be neither judge nor accuser in their trial: that his warrants were to be issued forth by his ministers, who were by the law appointed thereunto: "with much other matter to that effect."

A characteristic incident then occurred, which

Apology
not be-
lieved.

Mr.
Strode's
remark
thereon.

Debate as
to war-
rants con-
tinued.

Sound
principles
stated.

No differ-
ence of
opinion.

Dispute
of D'Ewes
with
Wilde.

Wrong
issue sug-
gested.

Corrected
by
D'Ewes.

Lords to
issue war-
rants.

How to
make a
right
thing
wrong.

further shows how clearly D'Ewes kept before himself, and how steadily before the Committee, the point it most behoved them to rest their case upon. Mr. Serjeant Wilde, speaking from the Chair, and taking advantage of exciting expressions thrown out in discussing these warrants of the King, would have had the Committee affirm that the mere charge of treason in the abstract, no matter how instituted, was, as against a member of the House of Commons, a breach of privilege; but the member for Sudbury wisely substituted a resolution against the mode of instituting such a charge which lately had been taken, and denouncing the issue of any additional warrants, as not only a violation of the privilege of parliament, but a breach of the liberty of the subject: and this the Committee adopted. The wisdom of such a course was manifest. Even supposing that the view could be supported, of a right in the Lords to entertain the accusation of treason at the instance of the Attorney-General, it was the Lords, and not the King, who should have issued the warrants: and D'Ewes was right to continue to fix the attention of the Committee upon the *mode* of procedure. Had the very right itself existed, the method would have turned it into wrong. "At length," he says, "Mr. Serjeant Wilde propounded a question to be put concerning the arresting of Mr. Denzil Hollis, or any of the other four members

"accused of high treason, that it was a breach
"of privilege: but I moved that the first
"question might be put touching the issuing
"forth of any fresh warrants; that the same
"was a breach of the liberty of the subject,
"and a violation of the privilege of Parlia-
"ment: which motion of mine was approved
"by the Committee, and the same was resolved
"upon the question, and ordered by the Com-
"mittee accordingly."

D'Ewes's
victory
over
Wilde.

Good sense
of Com-
mittee.

There was no further objection to the resolu-
tions submitted. "We proceeded," says
D'Ewes, "to vote it a breach of privilege of
"Parliament, and of the liberty of the subject,
"for any person to arrest any of the said
"members by colour of such warrants; and
"we declared them public enemies of the
"Commonwealth. It was also further resolved
"upon the question, and ordered by the Com-
"mittee, that to arrest any member of either
"House without consent of that House whereof
"such person was a member, was against the
"liberty of the subject, and a breach of the
"privilege of Parliament, and that any person
"who should so arrest such member should be
"declared a public enemy of the Common-
"wealth. Which votes being put and ordered,
"it was moved that a sub-Committee might
"be appointed to go out, and to draw out a
"Declaration to this purpose."

Resolu-
tions
voted.

Against
warrants.

Against
persons
arresting
under
them.

Then rose the younger Sir Henry Vane

Young
Vane rises;

Offers with a proposition, as the sequel to what the learned member skilled in precedents had so well moved, which he offered to the Committee as very necessary to be included in the Declaration, and which was eminently characteristic of his own sense of justice. "He did move," says D'Ewes, "that we might make some short declaration that we did not intend to protect these five gentlemen, or any other member of our House, in any crime; but should be most ready to bring them to condign punishment, if they should be proceeded against in a legal way." The Committee assented; and young Vane, Glyn, Grimston, Nathaniel Fiennes, and Sir Philip Stapleton, having been named as the sub-Committee to draw the declaration, left the chamber for that purpose. While they were absent, "I departed," says D'Ewes, "from the Committee, between two and three of the clock in the afternoon; but the Declaration was afterwards brought in by the said Committee, and allowed and voted by the Committee, and printed." He adds, that as the Common Council required the Guildhall Chamber for City uses, and it was moreover in itself somewhat inconvenient, the Committee adjourned itself to meet next morning in Grocers' Hall.

§ XXXII. FACTS AND FICTIONS.

THE elaborate particularity with which the

good Sir Simonds D'Ewes thus records in detail the proceedings of the Select Committee of the Commons, seems as though specially provided for refutation of the studied misrepresentations and disingenuous artifices of Clarendon. Speaking generally of the proceedings of the Committee described in the foregoing section, that writer deliberately states: 1. That all the resolutions voted were in support of, and simple corollaries from, the broad and unrestricted assertion, "that the arresting, or endeavouring to arrest, any member of Parliament, was a high breach of their privilege." 2. That the House itself held short sittings, concurrently with the sittings of the Committee, for the mere purpose of confirming the votes so passed. 3. That when the votes in question were proposed for confirmation, he (Mr. Hyde) took part in the debate, and was received with noise and clamour, and with wonderful evidence of dislike, merely for stating what was a known truth to any one who knew anything of the law, namely, that where persons were arrested for treason, or felony, or breach of the peace, there could be no privilege of Parliament. And, 4. That after this debate "the House confirmed all that the Committee had voted, and then adjourned again for some days, and ordered the Committee to meet again in the City. . . . the House itself meeting and

House confirm-
ing votes
of Com-
mittee. " sitting only to confirm the votes which were
" passed by the Committee, and to prosecute
" such matters as were by concert brought to
" them, by petition from the City, which was
" ready to advance anything they were directed:
All done
during
Five
Members'
absence. " and so, while the members yet kept them-
" selves concealed, many particulars of great
" importance were transacted in those short
" sittings of the House. * "

Reply. To which elaborate misstatement, the reply
which D'Ewes enables us to make is very
simple. It is: 1. That the votes of the
Votes not
so re-
stricted. Committee distinctly limited and defined the
breach of privilege as consisting, not in the
accusation or the arrest, but in the means and
process employed therein, whereby the law
of the land and the liberty of the subject,
not less than the privileges of Parliament,
were violated. 2. That the House held no
House
itself not
sitting. such sittings, the Committee having in the
first instance received full powers, and exer-
cising an entire jurisdiction over the matters
referred to them. 3. That it is therefore
Hyde not
speaking. impossible that Mr. Hyde can have addressed
the House; that there is no evidence of his
having ever attended the Committee;† and
that, assuming him nevertheless to have
spoken at the Committee as alleged, what we
have seen of their reception of D'Ewes's tem-
perate speech renders it extremely improbable

* *Hist.* ii. 138-140.† See *ante*, 212-216.

that Mr. Hyde's very innocent remark should
have been hooted down. And 4. That there
was only one adjournment of the House be-
tween the 5th and the 11th January, 1641-2;
and that there were no short sittings whatever
while the Five Members yet kept themselves
concealed. Even if D'Ewes had not revealed
this, the evidence of the Commons' Journals
would have been decisive. They are a total
blank between the two days named.

Happily, too, the Declaration remains, which
embodied the constitutional suggestions of
D'Ewes and the manly proposition of Vane;
and it needs but to quote a few of its noble sen-
tences to dissipate these fictions of Clarendon.
After stating the high breach committed against
the rights and privileges of Parliament, and
the liberties and freedom thereof, by the King's
attempt to arrest the members, it proceeded:

" And whereas his Majesty did issue forth
" several warrants, under his own hand, for the
" apprehension of the persons of the said mem-
" bers, which by law he cannot do; there being
" not all this time any legal charge or accusa-
" tion, or due process of law, issued against
" them, nor any pretence of charge made
" known to the House; all which are against
" the fundamental liberties of the subject, and
" the rights of Parliament: whereupon, we
" are necessitated according to our duty to
" declare, and we do hereby declare, that any

No short
sittings.Journals
support
D'Ewes.Evidence
of pub-
lished De-
claration.As to
warrants:King
powerless
to issue
them.As to
arrest:

King disabled from effecting it.

As to claim of privilege:

not desired to bar a just charge.

Readiness to bring guilty to trial.

Thursday night, 6th January.

“ person that shall arrest Mr. Hollis, Sir
 “ Arthur Habelrig, Mr. Pym, Mr. Hampden,
 “ and Mr. Strode, or any of them, by pre-
 “ tence or colour of any warrant issuing out
 “ from the King only, is guilty of a breach of
 “ the liberties of the subject, and of the
 “ privileges of Parliament, and a public enemy
 “ to the Commonwealth . . . Notwithstanding
 “ all which, we think fit further to declare, that
 “ we are so far from any endeavour to protect
 “ any of our members that shall be in due
 “ manner prosecuted (according to the laws of
 “ the kingdom, and the rights and privileges
 “ of Parliament) for treason, or any other mis-
 “ demeanor, that none shall be more ready
 “ and willing than we ourselves to bring them
 “ to a speedy and due trial: being sensible
 “ that it equally imports us, as well to see
 “ justice done against them that are criminal,
 “ as to defend the just rights and liberties of
 “ the subjects and Parliament of England.”

§ XXXIII. AGITATION IN THE CITY.

THE Declaration of the Commons on the Breach of their Privilege was printed and in circulation in the City, on the night of that first meeting at Guildhall. Agitation and excitement had continued to increase out of doors. Clarendon is no mean or incredible witness where his passions or interest do not deceive or mislead him to perversion of the truth,

and he says that it cannot be expressed how great a change there appeared to be in the countenance and minds of all sorts of people, upon those late proceedings of the King.* The shops of the City, while the members remained therein, were generally shut up, as if an enemy were at their gates ready to enter and to plunder them; the people in all places, he adds, were at a gaze, as if, disposed to any undertaking, they looked only for directions; and the wildest reports were speedily accepted and believed. D'Ewes for once confirms Clarendon. On this Thursday night, he tells us in a note appended to his Journal of the 6th January, the watch at

* The passage is curious and valuable, though in its aim and object the reverse of candid. “It cannot be expressed,” he says (*Hist.* ii. 159), “how great a change there appeared to be in the countenance and minds of all sorts of people, in town and country, upon these late proceedings of the King.” He asserts (with what likelihood I have attempted to show in my Essay on the Great Remonstrance) that the popular leaders had of late been losing their spirits, so that some of them were even resuming their old resolutions of leaving the kingdom; but that “now again they recovered greater courage than ever, and quickly found that their credit and reputation was as great as ever it had been: the Court being reduced to a lower condition, and to more disesteem and neglect, than ever it had undergone. All that they had formerly said of plots and conspiracies against the Parliament, which had before been laughed at, were now thought true and real; and all their fears and jealousies looked upon as the effects of their great wisdom and forethought. All slanders that had been whispered of Ireland was now talked aloud and printed; as all other seditious pamphlets and libels were.” These remarks are so coloured as to give a false expression to the facts they embody, but the facts themselves are confirmed by what already has been quoted from private letters.

Sudden
alarm at
Ludgate.

Threat-
ened
attack on
Coleman
Street.

The
Digby
plot.

Lunfford
in it.

Ludgate was alarmed suddenly, between 9 and 10 o'clock, by information that the same band of desperadoes who had accompanied the King to the House on Tuesday, had a similar design to be executed in the City that night. The news spread simultaneously from several quarters, and the reported plan was that of an attack upon the house in Coleman Street, where the accused members were. The rumour had in all probability arisen from some oozing out of the project of Digby, as to which Clarendon, in the character he has left of that reckless personage* in the supplement to the third volume of his State Papers, gives us the particular information, that it was conceived immediately upon the Citizens declaring absolutely for the members, and rejecting, as they had done the day before this to which D'Ewes refers, the King's personal overtures for assistance. Further he tells us, as we have seen, that Digby counted upon a select number of a dozen Gentlemen, who he presumed would stick to him (his friend Lunfford was one †), to help him out with this project, by seizing on the Five Members dead or alive; and he pro-

* *State Papers*, iii. lv. lvi. See *ante*, 205.

† Stapleton made rather a good speech when the Digby plot, and Lunfford's connection with it, became notorious the week after the present; describing Lunfford, "this Colonel" as he calls him, not content, under the influence of the King's unmerited favour, "but imitating the water-toad, bragging. "and, seeing the shadow of a horse seem bigger than itself, "swelling itself straightway to rival the same, and so bursting."

tests that without doubt he would have done it, and that it must have had a wonderful effect. A wonderful effect, even the rumour of it appears to have had.

The City and the suburbs, says D'Ewes, ^{The City in arms.} were almost wholly raised, so that within little more than an hour's space there were forty ^{140,000} thousand men in complete arms, and near a ^{men with} hundred thousand more that had halberds, swords, clubs; and the like. Such was the military organisation of the City Train Bands in those days. Notwithstanding this, however, ^{Panic continues.} the panic ran its course, as it is in the nature of all panics to do. "Yet," D'Ewes tells us, in a sentence which exhibits not a little of the nervous derangement it commemorates, "the general cry of the City, *Arm! Arm!* was "with so much vehemency, and knocking at "men's doors was with so much violence, "that some women being with child were ^{Women in} so much affrighted therewith that they ^{terror.} "miscarried." However, the Lord Mayor ^{Exertions of Lord Mayor.} played his part of *pater patriæ* within the City walls with all necessary promptitude and vigour, and put a timely check to these domestic inconveniences. He had tried, but vainly, to prevent the Trained Bands from getting under arms; but he afterwards sent to Whitehall, and, in every direction where authentic intelligence was procurable, he dispersed it on all sides in place of the exaggerated rumours

Streets
cleared.

City again
quiet.

Thanks of
Council
to Lord
Mayor.

Order
from
Council,
Saturday
8th Jan.

Members
for City
odious to
Court.

Swearing
in of Falk-
land.

Notices
tumult of
Thursday.

The
authors
must be
punished.

flying about; and he took finally such skilful measures for clearance of the streets, that in little more than an hour from his first interference, the City was again quiet, and "every man retired to his house." Two days later, he was specially thanked by an order of the Council Board, at which the King was present and the new Ministers of State; and at which demand was made, under their hands, for delivery up of the names of the persons who had "importuned him to put the Trained Bands in arms."* Yet

* A copy of this Order from the Council-Board addressed to the "Lord Mayor &c. of London," and dated Saturday the 8th, exists in the State Paper Office, and furnishes remarkable evidence of the tone and spirit which must have animated the Council in discussing the incidents of the preceding Thursday, the 6th of January. It is to be borne in mind, in reading it, that the members for the City were notoriously those who had overruled the Lord Mayor as to the assembling of the Trained Bands, and that the Committee of the Commons, sitting in the City, held the step to have been essential to the safety of the citizens. The insertions within brackets are in the handwriting of Nicholas; and the intimations with which the Order concludes as to the swearing in of Lord Falkland at the Board that day, may perhaps be taken as an evidence of Nicholas's anxiety that the fact should be known in the City, and his own responsibility so far lightened by participation with one so recently engaged and trusted on the popular side in the House of Commons. "Hearty commendations to your L^{ty} and the rest. Whereas the King's Ma^{ty} hath taken notice of a great disorder & tumult within the Cittie of London & Liberties thereof where many thousands of men as well of the Trayned Bands as others were in armes on Thursday night last [without any lawfull authority, as his Ma^{ty} is informed] to the great disturbance & affrightm^t of all the inhabitants: for which neither his Ma^{ty}, nor this Board, doth [find] believe any cause given at all, nor the least danger to have been intended to the said City, or inhabitants thereof, by any person whatever. W^{ch} being of so dangerous consequence, as the same may no way be connived at: but is most requisite that the authors of the alarme be enquired after, exam^d, and punished according to Law: that others

the right so challenged had never until now been questioned; and the time appropriately selected for this note of defiance, was when bands of armed men were being organised, as well by the King as by his followers, without any warrant from the law. D'Ewes concludes the very note I have quoted, by saying that the alarm in the City had been greatly increased by the circumstance of a troop of horse, raised by a Royalist Squire of Essex, having been billeted at Bar-
net, and reported, "upon what misinformation

"may both hereafter be deterred from the like seditious attempts, & his Ma^{ty} good subjects better secured in the peaceable quiet & enjoying of what is theirs. And whereas his Ma^{ty} hath been informed that before the alarme, certaine persons were earnest wth yo^r Lo^p to put the Trayned Bands of the Cittie in armes; w^{ch} you refusing to doe because [you said] you knew no cause of feare, yet the same was afterwards done without yo^r commands & ag^t yo^r will [and without any authority]. His Ma^{ty}, having duly considered of the premises, hath thought fitt by advice of this Board hereby to pray and require you, together with y^r Brethren the Aldermen and the Recorder of the said Cittie, forthwith to meete & to use all diligence for the enquiring and finding out, by what meanes and by whose endeav^r soe great a disorder did happen; who were the authors of the alarme [by what & whose order the trayned bands were raised] and upon what pretexe; and such as you shall discover to be guilty of this so great offence, that you take a fitting course that they may be forthcoming: and further that you certifie this Board with speed of yo^r proceedings therein, and what you finde [as also the names of those who at first importuned you to put the Trayned Bands in armes]. To their the end some further course may thereupon be directed for settling the peace & quietnesse of the City, & for punishm^t of the offenders according to the Laws & Statutes of the Realme. Wherein not doubting of y^r care, we bid you very heartily farewell. From Whytchall the 8 of January 1641. Y^r very loving friends.—This day, his Ma^{ty} present in Counsell, and by his royall comand, the Vi^{cc} Faulkland was sworne one of H. M. principal Secretaries of State."

"I know not, to be but the fore-runners of
 "five hundred horse that were last night to
 "come into the City of London."

Tendency
 to undue
 fears.

The universal tendency of communities and
 bodies of men to undue and exaggerated fears
 is well understood, and the present naturalness
 of such sudden fears and panics has been
 shown; nor was the character of the disclosures
 made at the reassembling of the Committee at
 Grocers' Hall the next morning, of a kind to
 discontinue or abate them.

§ XXXIV. FIRST SITTING AT GROCERS'
 HALL.

Friday,
 7th Jan.

ON the day of the first sitting at Grocers'
 Hall, Friday the 7th, it had been appointed
 to take evidence as to the circumstances of
 the King's attempt of the previous Tues-
 day, and the character and conduct of the
 armed men who accompanied him. "The
 "business was entered into," says D'Ewes,
 "before I came in, and divers witnesses were
 "examined in my hearing." Of the state-
 ments made by those witnesses he proceeds to
 give an abstract, confirming in all material
 points the account already given, and supply-
 ing some additional particulars not without
 interest.

Witnesses
 as to out-
 rage of
 the 4th.

Abstract
 of their
 evidence.

It seems certain, from the great mass of the
 evidence adduced, and supported even by
 witnesses opposed to the majority in the Com-

mons, that, while the King was in the House, a word or signal was expected to be given. It was distinctly deposed by several, that, when his Majesty was coming out of the House, divers officers of the late army in the North "and other desperate ruffians" called out for the word, but, when they saw no word given, they "bade make a lane and so departed." One of the witnesses, a Captain Ogle, deposed that while speaking, on the morning after the attempt, with one of the officers who came with the King, this person did not scruple to avow that he and others accompanied his Majesty to be his guard in consequence of having heard that the House of Commons would not obey the King, and that therefore it was necessary to force them to it. "And he believed that if, in the posture that they were set, the word had been given, they should certainly have fallen upon the House of Commons." Another witness swore to having heard "one of the desperadoes" cry out, as he held up his pistol ready cocked, "I will warrant you I am a good marksman, I will hit sure." Another, Mr. John Chambers, deposed to the forcible keeping open of the Commons' door; to the violence used against the servants of members of the House; to the firearms with which the King's party had come prepared; and to the interchange of questions he had overheard among them, as to what might

Concerted
 plan.

Signal to
 be given.

Disap-
 point-
 ment.

Necessity
 of forcing
 Commons
 to obey
 King.

Only the
 signal
 wanting.

Forcibly
 keeping
 open
 door of
 House.

Counting numbers. be the exact number of members mustered in the House that day. A similar piece of evidence must be given in the words of D'Ewes :
 " That when the King entered the House, and
 " it appeared that neither Mr. Pym, nor any
 " of the other four were there, one of these
 Ingenuous confession. " bloody ruffians said ' Zounds ! there are
 " ' none of them here, and we are never the
 " ' better for our coming ! ' "

An important witness. The most notable piece of evidence, however, was given by Captain Hercule Langres, who played so important a part on the memorable day ; and D'Ewes enables us first to publish it. Dwelling in Covent Garden, he said, he

At Whitehall the previous Friday. had occasion to be in Whitehall on the last day of December, the Friday preceding the King's endeavour to arrest the members. That he

What Lieut. Jenkin said. there understood from Lieutenant Jenkin, who had command of a company of the Trained Bands at Whitehall, that he was then under orders to obey one Sir William Fleming. That he was with that officer again on the following

Again at Whitehall on the 4th. Tuesday, having heard from a noble gentleman who wished well to this nation (doubtless the French ambassador, Montreuil) of the design

Previous intelligence of King's design. of the King's going to the House to be, to take out those five members by violence which were accused of treason, if he found them there. That, seeing his Majesty was to be accompanied to that end with divers officers and soldiers armed with halberds, swords, and

pistols, among whom were divers Frenchmen, namely Monsieur Fleury and others, he passed through the roof, got to the House of Commons before his Majesty could come, and acquainted Mr. Nathaniel Fiennes therewith. Further, that the said Monsieur Fleury had told him, as long ago as some three weeks, that there would be troubles shortly here in England, that he had guessed so before, but that now he was sure of it.

Passed over roof to escape crowds.

Knew of coming trouble three weeks ago.

After this evidence had been taken, D'Ewes himself rose to state to the Committee the impression it had produced upon him, and to suggest a resolution in accordance therewith. " I moved," he says, " that seeing we had all
 " the material passages of this design proved
 " unto us by several witnesses, I was in mine
 " own conscience fully satisfied, that if God had
 " not in a wonderful manner prevented it by
 " the absence of those our five members, we
 " had been all in very great danger of having
 " been destroyed. And therefore I did desire
 " that we might resolve the same upon the
 " question. Others seconded me ; and after
 " a pretty while, the question ensuing was
 " agreed upon. That the coming of the
 " soldiers to the House of Commons with his
 " Majesty, on Tuesday last, was a design to
 " take some members out of the said House,
 " and, in case they should find any opposition
 " or denial, then to fall in an hostile manner

Impression made on D'Ewes.

Satisfied as to purpose aimed at.

To find excuse for armed conflict with House.

Moves and carries vote to that effect.

“ upon the House of Commons ; which was a
 “ traitorous design against the King and Parlia-
 “ ment.”

Sheriffs of
 London in
 attend-
 ance.

Meanwhile Serjeant Wilde, reviving the question on which D'Ewes had outvoted him on the previous day, had succeeded in obtaining orders from the Committee for the attendance of the two Sheriffs of London, with the warrants they had received under the hand of the King for the apprehension of the five members ; and now their arrival was announced. They were called in, and asked by Mr. Serjeant Wilde whether they had brought with them the warrants. Sheriff Garrett, who had entertained the King two days before, and whose sympathies were with the popular party, answered that he had ; the other declined to answer, on the ground that the duty of his place enjoined secrecy.

Asked
 as to
 warrants.

One re-
 plies, the
 other
 refuses.

Difference
 between
 Wilde and
 D'Ewes.

Don't
 shout
 “ aye ” or
 “ no,” but
 reflect and
 consider.

At this point D'Ewes interposed, and upon his motion the Sheriffs withdrew. Serjeant Wilde then started up, from the Chair, to ask whether the Committee did not mean to require them to deliver in the warrants : to which some having cried Aye, and more No, D'Ewes took upon himself bluntly to inform the Committee that the question would not be determined by their confused crying Aye and No, but by their consideration and debate what course was best to be taken. Suppose the Sheriffs *did* deliver up the warrants upon demand, what did they

propose to do with them? Unless they in-
 tended to keep them, they were better not to demand them ; and, as the case then stood, it was his clear opinion that they should not keep them, and therefore not demand them. Because, he proceeded to argue (with that guarded moderation of tone in reference to the King, and that desire to avoid any personal questioning of his prerogatives, by which the testimony he has just borne to the character of the attempt of the 4th of January is rendered greatly more valuable), though his Majesty, *being misled by evil counsel*, had in many particulars violated their privileges, yet they still owed him so much respect as not to assume authority to take from his ministers, to whom he had sent them, even these manifestly illegal warrants. “ Neither do I doubt,” he continued, with a touch of the humour wherewith he occasionally relieved the grave precision of his oratory, “ but they shall sleep “ as quietly in the Sheriffs' hands as in our “ custody, *who, I believe intend to make but “ little use of them.* And indeed the City of “ London in general, and those gentlemen in “ particular have deserved so well of us, as I “ desire not that we should put them upon “ that strait as either to offend his Majesty, or “ disobey us. One of them, you see, pretends “ secrecy, and the other would gladly be ex- “ cused ; and therefore I desire that they may

Against
 calling in
 warrants.

Discreet
 tone as to
 the King.

Respect
 still due.

Touch of
 humour.

An ill
 choice.

Call in the Sheriffs and dismiss them. "be called in, and be informed of the good opinion we have of them, and so be dismissed. Some," D'Ewes adds, "seconded me, and others spake contrary; but it was overruled that they should be called in and dismissed, as I had moved: which was done accordingly."

Suggestion adopted.

Motion that Five Members attend Committee.

Disliked by D'Ewes.

Carried.

King meets the challenge.

The next resolution, however, moved in discharge of a duty which the circumstances unavoidably forced upon them, was in effect a direct challenge to the sovereign. It was that the five members accused might and ought to come to attend that Committee, notwithstanding any warrant issued out, or other matter or accusation, against them. It was opposed by some very strongly, and the discussion was still proceeding, when, at 4 o'clock, D'Ewes quitted Grocers' Hall. His opinion was, that this open defiance should not have been resorted to, until a direct demand for safety to the persons of the accused should have been refused by the King; and apparently he wished to avoid supporting a resolution which yet he could not conscientiously have opposed. It was carried, and the members invited to attend Grocers' Hall publicly on the following Monday.

The King meanwhile had met, more than half way, the challenge of the Commons, and early on the morning following this vote, the very day when Falkland received the seals,

there came forth a fresh Proclamation, reiterating against the Five Members the accusation of High Treason, and commanding all magistrates and officers to seize and convey them to the Tower. A letter from the Council Board also reached the Chief Magistrate, of which the object was to make the City members responsible for measures taken by them on the night of the alarm to protect the Citizens. It was impossible but that the course thus adopted should precipitate every danger, weaken what chances were left to Charles the First, and give unexpected opportunities and power to his antagonists.

Fresh proclamation against accused.

Unwise course.

§ XXXV. SECOND SITTING AT GROCERS' HALL.

WITHIN one hour after appearance of the King's proclamation on Saturday the 8th of January, commanding all loyal men throughout the kingdom to apprehend the Five Members of the Commons whom he had accused of treason, the Committee of the Commons had assembled in Grocers' Hall; and, after renewing the order for the public appearance of the accused members on Monday, preparatory to the return to Westminster on the following day, they passed two resolutions. The first: that a printed paper in the form of a proclamation issued out for the apprehending five gentlemen, members of the House of Commons,

Saturday, 8th January.

Reply of the House to King's proclamation.

Open
defiance
of the
Sovereign.

Alarming
news.

Step taken
thereon.

A Guard
ordered
for the
Tower.

Import-
ance of
the
Tower.

Security to
merchants.

Pym's
great
speech to
the Lords.

was false, scandalous, and illegal. The second : that all acts of the Citizens of London, or of any other person whatsoever, for the defence of the Parliament and the privileges thereof, or the preservation of the same, were according to their duty, and the late protestation, and the laws of the kingdom, and that if any person should arrest or trouble them for so doing, he was declared an enemy of the Commonwealth. Then were tidings brought, while these votes were in progress, of a ship from Berwick laden with arms having neared the Tower; and this led to the most important step yet taken by the Committee. Sir John Byron, Lieutenant of the Tower, and Captain Coningsley, Lieutenant of the Ordnance, having been summoned and examined, it was resolved that measures should be adopted with all dispatch for the setting of a Guard upon that great fortress (the only security in those days for even the sanctity of commercial dealings),*

* Clarendon admits how vitally important it was to obtain security for the safe keeping of the Tower, even in the very language of cavil with which he complains of "the petition brought and delivered in the names of several merchants who used to trade to the Mint; in which they desired that there might be such a person made lieutenant of the Tower as they could confide in (an expression that grew from that time to be much used), without which no man would venture bullion into the Mint, and by consequence no merchant would bring it into the kingdom."—*Hist.* ii. 154. In that noble speech (one of the greatest monuments of eloquence, at once massive and persuasive, that exists in the English language) delivered by Pym before the Upper House at the Great Conference of the 24th of January, but a few days subsequent to the present date, when the leader of the

under command of an officer having equally the confidence of the City and the Parliament, and irremovable "without the King's command signified by both Houses." The officer selected was the Captain of the Artillery Garden, Skippon; "a faithful and able soldier," says Whitelock; a man, says Clarendon, who had served very long in Holland, and from a common soldier had raised himself to the degree of a Major-General Skippon. officer; "a man of order and sobriety, and "untainted with any of those vices which the "officers of that army were exercised in:" a man, let me add, very notable in the coming years, and whose part in our English history dates from this day.*

Lower House invited the concurrence and help of the Lords in saving the kingdom, but told them that their refusal would not discourage the Commons in saving it without such aid, he also adverts to the evil influences upon trade arising from the insecurity of the Tower. "But I must protest," he said, "the House of Commons hath given no cause to these obstructions. We have eased Trade of many burdens and heavy taxes; we have freed it from many hard restraints by patents and monopolies; we have been willing to part with our own privileges, to give it encouragement; and we have sought to put the merchants into security and confidence in respect of the Tower of London, that so they might be invited to bring in their Bullion to the Mint as heretofore they have done. We are no way guilty of the troubles, the fears, the public dangers, which make men withdraw their stocks, and keep their money by them, to be ready for such sudden exigents as in these great distractions we have too much cause to expect. I must clear the Commons. We are in no part guilty of this. Whatsoever mischief these obstructions in trade shall produce, we are free from it. We may have our part in the misery, we can have no part in the guilt or dishonour."

* Whitelock (i. 191), has preserved for us a specimen of

Selection
of com-
manding
officer :

Major-
General
Skippon.

a Character
and ser-
vices.

Effect of
political
troubles
on trade.

Defence
of the
Commons.

Named
Chief of
the City
Militia.

How
authority
comes into
being :

Attends
upon
necessity.

Order for
posse comi-
tatus.

No such
guard
needed.

Skippon
and his
soldiers.

Liking for
short
speeches.

Captain Skippon was named, before the Committee arose, Major-General of the Militia of the City of London. It was an office never before heard of, Clarendon says afterwards in his History, nor imagined that they had authority to constitute. Their authority, it might have been replied, sprang into life with the proclamation issued on this 8th of January 1641-2, and the letter of that morning's date from the Council Board. It had become necessary that the Trained Bands of London should be under the command of a person fit to lead them, and authority waits upon necessity. A Sub-Committee was also appointed to confer and arrange, as to the Military arrangements for Tuesday, with the Common Council of London : order having been at the same time issued, to the Sheriffs of London and Middlesex, for the raising of the *posse comitatus* "for the Guard of the King and Parliament" on the occasion of the return to Westminster. Little was that precaution needed. But even the men

what he calls those short and encouraging speeches to his soldiers which induced the City Bands, all through the Civil War, to march forth under his command with the utmost cheerfulness. "Come, my boys, my brave boys, let us pray heartily and fight heartily. I will share the same fortunes and hazards with you. Remember the cause is for God, and for the defence of yourselves, your wives, and children. Come, my honest brave boys, pray heartily and fight heartily. and God will bless us!" Thus would he go all along with the soldiers, adds the grave Mr. Whitelock; talking to them, sometimes to one company, and sometimes to another; and the soldiers seemed to be more taken with it than with a set formal oration.

who sat at Grocers' Hall at the close of this eventful week of January, could not gauge the depth or force of the feeling, which, since its commencement, had stirred London and its adjacent counties to their depths, and already had determined finally the question of the safety of Parliament against the King. Though the Committee made arrangements and issued orders as having no longer any fear, they could have formed but little notion as yet of the character and kind of triumph where-with the great mass of the people were preparing, against the day of the proposed return to Westminster, to celebrate and glorify the men whom the King so recently had denounced as traitors, and on that very day had again publicly outlawed and proscribed.

A very striking incident occurred before the Committee, on this 8th of January, adjourned. Word was brought to them that the King, attended by certain members of the House of Lords, proposed to come in person on Monday next to the Committee. It was probably a mere threat, thrown out in the hope that it might compel abandonment of the proposed public appearance of the accused members on that day. But, whether really or only colourably entertained, the Committee, with consummate calmness and good taste, intimated their readiness to give dutiful welcome to such a visit, by the degree of preparation they would make

Com-
mittee
ignorant
of their
power.

Triumph
preparing.

Members
to be
borne
back by
the people.

Proposal
of King
to attend
Com-
mittee.

Its recep-
tion.

Due respect to be paid. for it. "Thereupon they ordered *the Captains of the Trained Bands that attended them as a Guard* should take especial care that his Majesty and the English nobility have way made for them to come in; and Sir Ralph Hopton and Mr. Charles Price, who were the King's servants, were desired *to stand by the Officers of the Guard to see the same performed*, and to shew them such persons as are of the English nobility." Of course nothing more was heard of a visit from the King.

Way to be made for King and Nobles.

§ XXXVI. SUNDAY THE NINTH OF JANUARY.

Visitors in City streets and chapels. SUNDAY, the 9th of January, saw groups of strange visitors in the London streets, churches, and chapels. The City had become suddenly and silently filled with other than the familiar faces of her Citizens. Men not known to each other but by the purpose that lighted up each countenance as they met, men who were complete strangers, says Lilly, grasped hands firmly, and passed on without uttering a word. A settled and quiet determination everywhere showed itself. Large numbers had poured into London that morning with a petition, signed by several thousands for protection of Mr. Pym. They were chiefly of the citizen and merchant class, but in attendance upon them were thickly gathering crowds of apprentices and artisans. Four thousand squires and

Strangers meeting as friends.

Petitioners for Pym.

freeholders had ridden up yesterday from Buckinghamshire to protect their beloved representative: substantial farmers and sturdy yeomen, born and bred within the shadow of Hampden's beeches; gentlemen of landed estate, who had selected him to obtain redress for their wrongs: the same, who, but a few weeks before the assembling of this parliament, had in great numbers preferred imprisonment to a timorous compliance with unjust levies of coat and conduct money in their several shires. They are here now to live or die with Mr. Hampden; to offer service to the Commons; respectfully to petition the King. And from many a pulpit issued forth, on this memorable Sunday, the solemn greeting of the great city to her welcome visitors. "We did hear several most savoury discourses out of the hundred and twenty-second Psalm." The noble old words bring back the fervour of the true faith, the belief in God and His word, the stern and indomitable resolution, which characterised this grand time. "Our feet shall stand within thy gates, O Jerusalem! Jerusalem is builded as a city that is compact together: whither the tribes go up, the tribes of the Lord unto the testimony of Israel, to give thanks unto the name of the Lord. . . . Pray for the peace of Jerusalem: they shall prosper that love thee! Peace be within thy walls, and prosperity within thy palaces!"

Petitioners for Hampden.

Savoury discourses.

122nd Psalm.

Text preached from.

§ XXXVII. PREPARATIONS FOR THE TRIUMPH.

Monday 10th Jan^r: It was nearly ten on the following morning when the proceedings of the Committee were resumed. The Committee men had found it no easy matter to get to their places; so thronged were the narrow ways of the Poultry, and so difficult the approach to the magnificent old Hall which the wealthy Company of Grocers had placed at their disposal. For, this was the day when the accused members were publicly to resume their seats by the side of their colleagues, and dense crowds of the people had assembled to give them welcome as they passed in from Coleman Street. When D'Ewes entered, Glyn had been explaining the conduct of the Roman Catholic Lord Herbert, in a matter which showed his loyalty to the House; and this elicited from all sides (the Puritan Sir Simonds himself chiming heartily in with it) an expression of gratitude and respect. Alderman Pennington then rose to make a communication respecting the Tower; and what he had to relate confirmed the alarms of the week preceding, and established the fact of interferences with the guard and defence of that all-important fortress, in direct opposition to the orders of the two Houses. The hamleteers, who acted ordinarily as warders, had been discharged, and

Laft fitting in Grocers' Hall.

Crowds assembled.

Speeches of Glyn and Pennington.

Suspected tamperings at the Tower.

were not suffered to re-enter; while others had been introduced in their place. The body of canoneers, upwards of forty in number, whose residence was outside the walls, had been ordered to take up residence within; a company of carbineers had joined them; and, acting with these, there were now some forty or fifty retainers of the accused Bishops: all disaffected to the House. Several of the old hamleteers, being called in, deposed also to acts of the new Governor having a drift entirely opposed to the resolutions of Parliament. The carbineers had been introduced secretly; within the past two days, considerable numbers of "cavaliers" had been permitted to pass in and out; unusual quantities of ammunition were in store; and the flood was kept in the moat. A sub-committee was appointed, therefore, to examine further; and direction was issued for the attendance of Sir John Byron.

Evidence of danger.

"Cavaliers."

Sub-committee appointed, and Byron summoned.

Then rose Sir Henry Ludlow, the member for Wiltshire, father of the more famous Edmund (who upon Sir Henry's death in 1644 succeeded him in the representation of his county), and submitted a vote to be passed by the Committee, and reported to the House, declaring it to have been a traitorous conspiracy in Sir William Killegrew and Sir William Fleming to publish to the Four Inns of Court a scandalous paper against Five Members of the Commons. But this

Motion against Killegrew and Fleming.

Moderation of Committee.

Violent language disliked.

Resolutions modified and passed.

Against agents on the 3rd and 4th.

resolution, says D'Ewes, in a passage that exhibits characteristically the prevailing desire to avoid all intemperance of expression, had to be "referred to Mr. Glyn and some others to "put into form, because it was very long, and " [contained] too high expressions of some "cruel and bloody intentions in the said Sir "William Killegrew and Sir William Fleming." Soon the sub-committee returned, and the sub-joined resolutions were put. The wish seems to have been that all the votes having direct personal reference to the outrage committed on the Five Members, should be taken before their appearance among the Committee; and that what was reserved for settlement on their arrival should be simply the order of procedure for the Return to Westminster next day.

The Chairman rose, and read from the paper handed to him: That the publishing of several articles purporting to form a charge of High Treason against certain Gentlemen, members of this House, by Sir William Killegrew, Sir William Fleming, and others (in the Inns of Court and elsewhere, were afterwards inserted), was a high breach of the privilege of Parliament, a seditious act maliciously (so written in mistake for manifestly) tending to the subversion of the peace of the kingdom, and an injury and dishonour to the said members, there being no legal charge or accusation against them.

Further, the Chairman read: That the privileges of Parliament, and liberties of the subject, so broken, could not be fully vindicated unless the King would discover who advised him to the sealing up of chambers, studies, and trunks of said members, the sending a serjeant to the House to demand them, and coming in his own person to Parliament to apprehend them, to the end that such evil counsellors might receive exemplary punishment.—But as these words were read, several members suggested the necessity of allusion to the warrants under the King's hand; and the fact of the appearance of Serjeant Dandie and his company in the City, for the declared purpose of seizing the accused, together with the simultaneous appearance of the Proclamation threatening penalties of the law against all who should be discovered entertaining, lodging, harbouring, or conversing with them, became the subject of excited conversation and dispute. In the end, the words "and to issue several "warrants under his Majesty's own hand to "apprehend the said members"* were inserted in the first resolution, and the vote was made to comprise this addition: And that it was lawful for all persons whatever to entertain, lodge, harbour, or converse with, those five gentlemen, and that whosoever should be

Against evil counsellors.

Against Proclamations issued.

Against warrants under King's hand.

* Interlineations of the votes as originally put, appear in Sir Ralph Verney's *Notes*, 141, 142.

questioned for the same was, and should be, under the protection and privilege of Parliament.

Speech by
Maynard.

Before the votes finally passed, a somewhat remarkable speech was made by Maynard, who sat for Totness. This was the same able and unscrupulous lawyer who, acting closely by the side of Glyn throughout this great business, as a stickler for the rights of Parliament and the people, consented afterwards, with Glyn, to do the dirty work of the Restoration; had the inexpressible baseness to join with him in conducting the prosecution against Vane; and most justly drew down upon himself and his associate, even during the orgies of the opening of Charles the Second's reign, contempt and hatred from the common people and citizens, who had not, through all that interval of nearly twenty years, forgotten these their old high-flying efforts in behalf of popular rights against Court and King.*

Remem-
bered at
the Resto-
ration.

For the present, however, it is to be admitted, in justice to the member for Totness,

Mr. Pepys'
political
rogues.

* "Blessed be God," says Pepys, devoutly, at the close of the long entry in his *Diary* (i. 179, 180, ed. 1854) of the 23rd April, 1661, in which he has been describing Charles the Second's Coronation, "I have not heard of any mischance to anybody thro' it all, but only to Serjeant Glyn, whose horse fell upon him yesterday, and is like to kill him, which people do please themselves to see how just God is to punish the rogue at such a time as this: he being now one of the King's Serjeants, and rode in the Cavalcade with Maynard, to whom people wish the same fortune." And who will not remember Butler's immortal couplet?

Popular
view of
them.

"Did not the learned Glyn and Maynard
To make good subjects traitors, strain hard?"

that he spoke forcibly, and drove the particular questions home. After enlarging, in the manner of the time, upon the nature of a Parliament, and its sovereignty in discovering and curing all diseases in a Commonwealth; after avowing his confident belief that the long intermission of those assemblies had been the sole cause of all the evils and troubles that had happened to his Majesty's kingdoms; he said that the worthy gentleman below him, indicating the member for Colchester, had, on a previous day, expressed in very pregnant terms the one great privilege of Parliament to which every other subserved. This was, Not to be questioned or accused, for or concerning any vote, argument, or dispute, during free sitting as the people's representatives, either in the continuance of a Parliament, or after the same might be dissolved or broken off, either legally or illegally. Applying which to the transactions of the 3rd and 4th, he would say that no greater breach could be committed than to accuse of High Treason five members of that House during the continuance of its sittings, for and on account of matters debated on and done in the House, in their character of members thereof; and then, upon such accusation, to proceed to break open their chambers, trunks, and studies, and seize upon their books and writings.

His present
view of
parlia-
ments:

their
privileges:

the
attempted
arrest:

and the
unlawful
seizures.

For if, said this skilful and popular speaker,

All public
business in
peril.

"Well
moved."

Lords and
Bishops.
uncon-
trolled.

Men of
spirit dis-
abled.

if to be questioned for free debating or arguing in Parliament were no breach of privilege, then could they not safely intermeddle with or agitate any business whatsoever, concerning either Church or State, but what should be appointed and nominated by his Majesty and his Privy Council. And further, if, for things done in the House, if, repeated Maynard, amid cries of "very well moved," for things expressly done therein, freely chosen members of that House might be accused of treason, then would it be dangerous longer to sit in Parliament upon any business of disorders in the State and grievances to the subject, committed or done by great personages, such as Lords and Bishops; seeing that these might at any time, by their subtle inventions, induce his Majesty to favour their actions, by merely pretending to uphold his honour, maintain his prerogative, support his royal power, and the like.

And finally he had to say that if upon any such accusation, the chambers, trunks, and studies of such accused members might be broken open, and their writings seized upon, then would it altogether discourage any man to undertake any service for the good of his country, who should so perceive that he might at pleasure be bereaved of such means and helps as alone enabled and rendered him fit for duties to the Commonwealth. He was for those reasons, therefore, favorable to the

votes then submitted, and to a declaration to be drawn up from the same for the information and encouragement of all loyal subjects.

The resolutions had scarcely been voted, when a commotion outside the Hall gave notice of some fresh excitement, and it was announced that a very numerous deputation of sailors and mariners, masters and officers of ships, bringing with them a petition signed on the sudden by more than a thousand hands, had come to proffer their services, in D'Ewes's phrase, "to be with us tomorrow, to defend the Parliament by water with muskets and other ammunition in several vessels; which was accepted by us," and all needful orders made in relation thereto.* Permission was given, for example, that all the vessels should be fitted with artillery, proviso being made that no command for firing, save in the way of salute, should be given that day, unless "the King and Parliament" should be first assailed.

Order was also drawn up for the place of rendezvous. To take advantage of the tide, and that the whole fleet might come through bridge together, they were "to meet at the Hermitage at 3 next morning." All which being

* *Harl. MSS.* 162, f. 309 b. Rushworth, in his brief allusion to these occurrences (*Coll.* III. i. 433), says that it was on Saturday both the seamen and the apprentices attended to proffer their service: but D'Ewes, who reports all the details, is of course to be preferred as a witness, and he is entirely supported by Sir Ralph Verney's brief record, *Notes*, 141-2.

The
"water-
rats,"

fettled, away went the "water-rats," as the King bitterly called them, when, hearing this day of their proffer so to guard the Commons back to their home at Westminster, he felt himself weaker by one desertion more, and saw that his mariners and seamen had gone over to his enemies.

The Five
Members
approach.

But now came shouts from without far exceeding any that had yet been heard, and the Five Members were known to be approaching.

Enter and
take seats.

They entered amid what D'Ewes calls the "welcome of many," and took their places "in among us." He remarks in what order they entered, Hollis and Haselrig, Pym, Hampden, and Strode; and the imagination supplies all that his simple expression includes,

Greeting.

of the heartfelt sympathy that greeted them, and of the determination of the Committee to make common cause with colleagues branded as traitors, whose only title to that vengeance of the Court had been the extent of their service to the House of Commons and the people. When they had taken their seats, it was found that cries and pressure still so increased from without that it was expedient to call in a certain number as spokesmen for the great mass of the common people and apprentices, who were said to be thronging round the doors. They entered accordingly, and, says D'Ewes, "in their own names and in the names of all the rest desired to guard the Parliament to-

Offers
from the
common
people.

"morrow. Whereto Serjeant Wilde, by order from and in the name of the Committee, gave them hearty thanks for their present offer and former care and readiness to guard the Parliament, wherein many of them had been wounded. For this the Committee hoped to see them have redress in due time: but desired them to keep at home to-morrow for the guard of the City, whilst their masters did guard up at the Parliament: and that whensoever we had occasion to use them, they should have notice from us. One of them answered for the rest that they would obey our command, and so departed."

Thanked
by Com-
mittee.

Still another group from those eager crowds without, however, had by this time forced its way into the outer passages of the Hall, and a pause had to be made for its reception in the committee room. "Divers," says D'Ewes, "of the borough of Southwark then came and offered the assistance of their Trained Bands to us to-morrow, to come and be our guard at Westminster. We told them that we hoped the City of London would take care for our guard: but accepted their offer with thanks, and desired them to be in the fields about Lambeth and in Southwark in their arms."*

Offers
from
South-
wark
Trained
Bands.

Accepted,
and told
to be in
arms.

Sir John Clotworthy now rose, and per-

* *Harl. MSS.* 162, f. 313 b. I may take this opportunity of saying that the entire proceedings of this Monday the 10th January are comprised within ff. 312 a, and 313 b.

Protection of Sub-Committee. formed the great service of the day. He reported the heads of the various resolutions which the Sub-Committee named at the preceding sitting had settled with the Committee of the Common Council of London appointed to confer with them, for provision of the Military Guard to accompany the Five Members on their return to Westminster on the morrow. *This* was the true pledge of welcome which the House and the City had been all these days preparing, and by which they became bound, in penalties of treason they would hardly themselves have questioned, never to recede from the conflict now provoked until a victory was won. Each article of the resolutions was put separately, and a vote taken upon it: not without resistance from some who were present (among them Hopton and Price, and Sir Edward Dering; what tone was taken either by Falkland or Culpeper is not ascertainable), but with a quiet and stern determination on the part of the great majority, as fully conscious of the responsibilities incurred. "It was really treason," exclaimed Philip Warwick,* "for them to march without the King's commission." If it were in strictness so, then so let it be: they believed indeed otherwise, and that, even by royalist theories of the constitution, to secure the safety of the Parliament and Kingdom was

Arrangements for Tuesday's guard.

Irrevocable step.

Raising troops without commission.

* *Memoirs*, 226, ed. 1813.

to provide for the safety of the King: but to the course they were now taking, whatever it might involve, they had been driven in sheer self-defence by their assailant.

Resolutions voted:

The first resolution* was, that it had become First. necessary to have a sufficient guard provided for the safety of the King, Kingdom, and Parliament. The second, that such guard Second. should be raised out of the City and the parts adjacent. The third, that eight companies Third. should be appointed for to-morrow's guard, to assemble at eight o'clock, under the command of Captain Skippon. The fourth, that Skippon Fourth. should receive rank as Serjeant Major General of the City Forces, until the City ordered it otherwise; and that all the officers and men who should be of the Guard serving under him, were to take the Protestation† before they marched. The fifth, that eight pieces of ord- Fifth. nance, with all accoutrements belonging thereto,

* These all important votes are now for the first time set down as they were passed. A copy of them is in Verney's *Verney's Notes* (142-3), but less correct than that of D'Ewes; and so mistakes. unfamiliar still was the name very famous afterwards, that "Skipworth" is written in every instance by Verney, instead of Skippon. D'Ewes gives the right name.

† For the terms of the Protestation, see *Rushworth*, III. i. 241. And for the names subscribed to it of the members of the Commons (between 4 and 500) and the Lords (numbering with the judges and lawyers 106), *Ibid.* 244-8. The oath taken included a solemn profession of determination to maintain "the true Reformed Protestant Religion, expressed in the Doctrine of the Church of England, against all popery and popish innovation within this realm, and also the power and privilege of parliaments, and the lawful rights and liberties of the subjects."

- Sixth. should accompany the Guard; and that all the Trained Bands were to be at their colours, under Skippon's command. The sixth, that Serjeant Major General Skippon should not fail to perform what was ordered that day; and that, until such services were ended, he was not to stir upon any command or countermand whatever, without consent and direction from parliament. The seventh, that Skippon and his force were declared to have power, should violence be offered, to offend and defend. The eighth, that all Captains were to receive order to beat drum, *de die in diem*, from Skippon himself; and that all soldiers should repair to their colours in arms. The Ninth. the ninth, that all citizens who might be disposed to mount themselves should likewise be commanded by Skippon, and that such would be held as a most acceptable service. The tenth, that all ammunition necessary should be provided out of the Chamber of London. The Eleventh. the eleventh, that the Common Council Committee were to be considered free from all commands and arrests, and that they should not, until further leave obtained from the House of Commons, stir out of the City. The twelfth, and last Resolution, declared that all this service in general, as well as in every particular, should be held good and acceptable service, *and legal*; and that it should be accounted to be for the safety of the King, Kingdom, and Parliament.

These votes having been taken separately, Hampden was the first to break the silence ^{Hampden speaks.} which the Five Members had observed since they resumed their seats. He thanked the Committee for his friends and himself, craving their good counsel as to a matter it behoved him to lay before them. "Divers thousands ^{Will you receive my constituents?} were coming out of Buckinghamshire with a petition. The petition was to declare their readiness to live and die with the Parliament, and in defence of the rights of the House of Commons. He had to state that they came in a peaceable manner, and that he thought it his duty to acquaint the Committee therewith.* Upon this, however, the Royalist members present appear to have offered a resistance harder than any by which the Resolutions were met. Very many, D'Ewes informs us, spoke to what Mr. Hampden had said; and several would have had the men coming out of Buckinghamshire sent unto to ^{Better go back?} have returned thither. But this of course was

* The numbers of Hampden's petitioners are very variously stated. "As soon," says Clarendon, speaking of the day following the present, "as the citizens and mariners were discharged, some Buckinghamshire men, who were said to be at door with a petition, and had indeed waited upon the triumph with a train of four thousand men, were called in: who delivered their petition in the name of the inhabitants of the County of Buckingham, and said it was brought to the town by about six thousand men." ii. 166. Hyde. Dering. Dering, in the same letter to his wife in which he states the number at five thousand, puts in a parenthesis his belief that Rushworth (iii. i. worth and 486) reckons them at four thousand; D'Ewes, at five or six thousand.

No: we
will hear
them.

War be-
ginning.

Hamp-
den's atti-
tude and
bearing.

Last acts
of Com-
mittee.

over-ruled. "The greater sense of the Com-
mittee," says D'Ewes, "being to let them
alone, because we did not know fully the
intent of their coming." It was afterwards
said by Clarendon that only Mr. Hampden
fully knew that; that the levying of war in
England dated from the day when those
thousands out of Buckinghamshire were invited
to tender their petition; and that whatsoever
afterwards was done, was but the super-
structure upon the foundations which that day
were laid.* The remark is at least rendered
more intelligible by the picture D'Ewes has
given us of Hampden on the eventful day. In
the very moment of the passing of resolutions
claiming rights of the executive for the Com-
mons' House alone, to rise and direct attention
to "thousands" of his constituents who had
ridden up from their county to show readiness,
if need were, to die for that House, displayed
at least the collected and determined spirit of
the member for Buckinghamshire.†

Only two more acts of the Committee are
recorded by D'Ewes. The first was a report
made from the Irish Committee by Sir Robert
Harley, to the effect that the Lord-Lieutenant
of Ireland would, at their suggestion, disable

* *Hist.* ii. 170.

† Whitelock, in mentioning the arrival of these troops of
Buckinghamshire yeomen (1-156), says that they brought up a
petition on behalf of their knight of the shire, "whereof
probably he was not altogether ignorant beforehand."

from his command Captain Hide,* notorious Captain
for his insolent demeanour on the day of the Hide dis-
attempted arrest. The second was their answer abled.
to a message from the Lieutenant of the
Tower. "A message," says D'Ewes, "came
from Sir John Byron, declaring that he
heard there were some complaints here Refusal to
against him: and that he desired to know receive Sir
them, that so he might make answer to John
them. We refused to give his messenger's Byron's
any messenger.
answer, because he took notice of what had
been acted here, and did not apply himself
to answer by petition."† With which cha-

Why should he have been? The same imputation is repeated Hamp-
with addition, in a Royalist Satire (*speech against Peace at den's share*
the Close Committee). in Bucks
petition.

Did I for this my country bring
To help their knight against their king,
And raise the first sedition?
Though I the business did decline,
Yet I contrived the whole design,
And sent them their Petition.

A passage from the Petition will be quoted shortly, and it
certainly bears throughout the Hampden mark very visibly
stamped upon it. But the charge implied is, that though he False
appeared to "decline" the services of his friends, he had charge.
really in secret "contrived" them. It is the old accusation:
and I name it here that the reader may see, by Hampden's
open and frank avowal before the Committee itself, how
groundless it is.

* See *Ante* 185. *Harl. MSS.* 162, f. 313 b. D'Ewes's Captain
exact expression is: "that the Lord Lieutenant would put Hide.
out Capt. Hide as we had desired, and that he would send
such lists of the officers as we had desired."

† *Harl. MSS.* 162, f. 313 b. The result finally was, that New lieu-
Sir John Byron was displaced, and Sir John Coniers, the same tenant of
who was selected by Strafford for the defence of Berwick, and the Tower.
whom Clarendon (in a passage of his History, ii. 172, suppressed
by his sons) admits the King had no other exception to than

3 p.m.
10th Janu-
ary.
Close of
Commit-
tee.

characteristic assertion of having maintained unimpaired the full plenitude of power with which the House had invested them, this famous Committee brought its fittings to a close. D'Ewes shut up his note book and quitted the Hall a little after 3 o'clock.

§ XXXVIII. FLIGHT OF THE KING.

3 p.m.
10th Janu-
ary. Pro-
posed
flight of
King.

AT almost the same hour when the member for Sudbury was leaving the Committee room in the afternoon of Monday the 10th of January, Charles the First had formed the determination to quit Whitehall.

Acts of
Commit-
tee told to
Charles.

As the incidents of that last sitting of the Committee were communicated to him, by messengers who passed to and fro between the City and the Palace, in vain he had attempted to suppress his agitation. To an obstinate incredulity had succeeded a dismay and bewilderment the most extreme, and long did his partisans remember the sorrowful humiliations of this day. It was, says Clarendon, the trouble and agony which usually attend gene-

Confessed
usurpa-
tions.

that he was recommended by *them*, was named Lieutenant in his stead. The House did not affect to disguise from themselves the real drift and tendency of these interferences with the executive. Clarendon characterises their orders as to the Tower as "an act of sovereignty even of as high a nature as any they have since ventured upon." ii. 173. And substantially they did not themselves deny this: but, according to D'Ewes, it was rendered absolutely necessary "in regard of the great jealousies and distractions of London, the citizens everywhere shutting up their shops and giving over trade" in consequence of the insecurity of the Tower.

Why ne-
cessary.

rous and magnanimous minds upon their having committed errors. It was, says a less partial critic, the despicable repentance which attends the man, who, having attempted to commit a crime, finds that he has only committed a folly.

His trou-
ble and
dismay.

His resolve at last was taken suddenly. He might have listened, comparatively unmoved, to the intelligence that the streets of his city were crowded with freeholders and yeomen of Bucks, who had ridden up by "thousands" to defend their representative Mr. Hampden. He might have heard in fullen silence, if not indifference, that such a gathering of the common people as had not been witnessed since the day of Strafford's execution, were about to surround Whitehall with a petition to defend Mr. Pym.* It would have mattered little to

Takes
sudden re-
solve.

Crowds
for Hamp-
den.

For Pym.

* As the copies of this petition, afterwards presented to the King at Windsor, are extremely rare (it is not among the King's Pamphlets, and I have indeed never seen but the single copy in my own possession which was obtained for me by the late Mr. Rodd), a few lines may be here taken from it. It deals with each article of treason separately; and thus comments upon that which charged the endeavour to subvert the fundamental laws: "This seems contrary, in regard that hee hath laboured rather to ratifie and confirm the fundamental lawes; in his diurnal speeches ever specifying his reall intent, as the institution and not the diminution or subversion of law." As to the alleged traitorous endeavour to subvert the rights and very being of parliaments, this is the remarkable and emphatic comment: "To this we may answer with great facility, *Hee was the chiefe cause that this parliament was assembled*, and it seems very incongruous that he should subvert the same. Moreover he is the sole man that stands for the antient rights and liberties of parliament, and it seems a stupendous thing that he should assail the same." While on this subject I am tempted to add,

Popular
Petition.

Pym's sup-
port of
law.

Author of
the Long
Parlia-
ment.

Alarming defections. him that contemptuous cries and hooting from the populace were audible at the very gates of his palace. But when it was told him that sections of every class of his subjects had offered allegiance and service to the men whom he had publicly branded as traitors; that his

Attacks on Pym.

before the D'Ewes Journal is finally closed, some evidence of the abuse, not less than the praise, of which the great leader had so truly portentous a share as well now as to the end of the struggle. While, from this period to the outbreak of the war, his vast influence within the House renders poor D'Ewes himself, as his dissatisfaction with public affairs increases, daily more and more peevish and unhappy, in the Journal we also find almost daily evidence of assaults to which he was subjected out of doors. Now (to take a few instances from amid the events we have been describing) it is the "Examination of Jno. Sampson a mean fellow who said the 'kingdom would never be in quiet till Mr. Pym & such others as he was were hanged. His excuse, that he was 'in drink. Sent to House of Correction. Sir A. Brown showed that Mr. Nelson, a scandalous Minister in Surrey, 'had said Mr. Pym was neither a gentleman nor a 'scholar.' *Harl. MSS.* 163, 377 b, 385 a. On another day it is an "Information given against two men who 'had said the King was no King because he did not 'take up arms against the Scots, & that Pym was King 'Pym, and that that rogue would set all the kingdom together 'by the ears.'—*Ib.* 163, ff. 322 a, 331 a. On a third day it is a "Report from the Committee of information of one "Thomas Shawberie, a graduate of Emanuel College about to "proceed a Doctor of Physic this commencement, who had "yesterday night at the Cross Keys in Gracious Street called Mr. "Pym, a Member of this House, 'King Pym' & 'Rascal' " & that he would cut him in pieces if he had him."—*Ib.* 163, f. 424 a. Let me add, that out of numberless similar testimonies to Pym's unexampled influence in the State, and to the royalist hatred it inspired in a measure almost equal to the popular idolatry, one of the most remarkable will be found in a long poem in Mr. Wright's *Political Ballads of the Commonwealth* (pp. 30—38, Percy Society), which bears for its "Penitent Traitor" title, "The Penitent Traitor; or the Humble Confession of "a Devonshire gentleman who was Condemned for High "Treason, and Executed at Tyborne for the same, in the reign "of King Henry the Third, the nineteenth of July 1267." Pym was of Somersetshire, but he sat for Tavistock in Devon.

"Not a gentleman or scholar."

"Rogue and Rascal."

"Penitent Traitor."

mariners and seamen, "the water rats," had "Water-rats." deserted him; that the Trained Bands of London and Southwark were in arms against him; that, for the men whom he would have sent to a public scaffold, such a public triumph was preparing as only waits upon Conquerors and Deliverers; and that, finally, to protect and consolidate their triumph, and in his despite to "guard the Parliament, the Kingdom, and the King," a military force had been created, and military rank bestowed—he appears to have yielded all at once to what is known to have been the counsel of the Queen, and to have given sudden directions for the flight.

"The issue is," wrote Sir Edward to Lady Dering,* "that the King went suddenly out of town with the Queen and Prince, *angered and feared with the preparation of armes to attend us the next day.* Nor can I wonder at his purpose therein; but approve it. . . . The Commons go high: and not only the House, but a Committee of the House, have armed and imbanded the King's subjects, not only without his leave asked, but have made a Serjeant Major General to the King's terror. For thereupon he went out of town, and not till then. . . . Jealousies are high, and my heart pitys a King so fleeting and so friendless, yett without one noted

Trained Bands.

Triumph for "Traitors."

A sudden sense of danger.

Sir Edward Dering to his wife.

Commons going high.

King's "terror."

Pity for the King.

* MS. Letter (13th Jan. 1641-2) already quoted: *ante* 48.

Noted vices less dangerous than secret. "vice." It is not the "noted" vices which are most dangerous in kings.

There was doubtless much, in the "noted" reasons for this flight of a king from the capital of his kingdom, to awaken sympathy from such minds as Dering's: but more secret reasons and purposes betrayed themselves too soon, to permit the most ardent of the gentlemen who remained loyal to the sovereign to deceive

Reason for quitting London. themselves as to the temper in which London had been abandoned. It was not the fear of

Hope of support elsewhere. being deserted by friends, but the mortification of being disabled from striking further at enemies. For Charles the First, the hope of so striking effectively existed now only in the provinces of his kingdom. Away from London, he might pursue his secret levies; and, while the actual outbreak of war was delayed, his absence could not but disorganise the operations of Parliament. The Queen had now resolved,

A project of the Queen. moreover, if she could but screw her husband's courage to the sticking place, to carry herself and her children for the present out of England, taking with her the Jewels of the Crown: and to leave London was to accomplish the first stage. The watchful vigilance of the Commons compelled the detention of the princes;

Vigilance of Commons. but, in little more than three weeks from this day, she had succeeded in that most material part of her design which secured freedom of action and safety to herself, until the war should

really begin, and to her husband the means of waging it when once his troops were in the field. "By yours of this week," wrote Sidney Bere to Admiral Pennington, "I perceive you are ready to sett saile upon some service, wherein I pray God to blesse you wth good successe." That was on the 13th of January; and the service for which the Admiral so held himself thus early in readiness, was undoubtedly that which on the 23rd of February he performed, of conveying to the coast of Holland the Queen and her daughter, and the Crown jewels of England. In little more than two months she had raised two millions sterling.

The same letter of the under-secretary tells us further what it well imports us to know of the circumstances of the King's departure. After mentioning the triumph of the Commons in their return to Westminster, he continues: "The King and Queene toke the day before a resolution to leave this towne, w^h was alsoe foe suddaine that they could not have that acomodation befitted their Mattes. They went to Hampton Court that night, next day to Windsor, whence its considered they will alsoe departe as this day, but whither is uncertaine. The Prince and Pr. Elestor is with them, but few Lords. Essex and Holland being here, who offered up both their places before his going, but

Secret service by Pennington.

Conveys Queen to Holland.

Under Secretary to the Admiral: 13th January.

Reports King's flight.

Essex and Holland.

Secretary " His Majesty would not accept y^r surrender.*
Nicholas. " *Mr. Secretary Nicholas is likewise gone, and*

Refusals to
accom-
pany the
King.

* Essex, it will be remembered, was Lord Chamberlain of the Household, and Holland Groom of the Stole. The fact mentioned by Bere confirms a portion of the statement of Clarendon (*Hist.* ii. 163) that these officers of the King's House had been asked, and had refused, to quit London with him. It was not, however, until the 15th they applied to the Lords, and received order that "to attend the high affairs of the realme as required by their writs was truer service to His Majesty than any they could do him at Hampton Court." Clarendon says it was Holland who persuaded Essex not to go: but I can find no evidence in support of what he adds, that, after leaving the King to his small retinue in a most disconsolate perplexed condition, and in more need of comfort and counsel than they had ever known him, "instead

Waiting
on Com-
mittee.

"of attending their master in that exigent, *they went together into the City where the Committee sat*, and where they were "not the leis welcome for being known to have been invited "to have waited upon their Majesties." Holland was capable of the act, but of Essex it is not to be believed. I may add, as the point assumed afterwards some importance, that one of the most curious of many similar entries in D'Ewes's Journal of this date is one which marks the period of the final and complete desertion of the King by Holland and Warwick, when, caring no longer to resort to the excuse for non-attendance out of town, which their parliamentary obligations fairly supplied them with, they ceased to keep even a fair face to the King. On the day when the House voted judgment against the Attorney-General Herbert for having preferred the articles of impeachment, D'Ewes himself handed in a slip of paper purporting to contain the declaration of Walter Lumley, clothier of Lavenham, Suffolk; subscribed seemingly in Lumley's own hand. He stated that he was sitting in the house of Mr. Ferdinando Poulton, with two others; and that, they conversing together, the said Poulton said there were some verses made about the Parliament, namely—

"One cuckold, two bastards, and a pack of knaves,
Strive now to make subjects Princes, and Princes slaves."

Essex,
Holland,
Warwick,
and Pym.

Who are these three, asked Lumley, the declarant, for he protested he knew not of what was meant. To which Poulton said all the world knew Essex to be a cuckold, and Warwick and Holland to be bastards, and that they would make Pym prince. Having duly informed the House of these facts, and put it in possession of the document establishing

"hath left mee^h here to attend such services Small work left for Under-Secretary.
"as shall occurre, *w^{ch}*, if the Kinge shall per-
"sist in his resolution to retire,* *will not be*
"much. Howsoever I will expect the issue,
"and if I bee not sent for, thinke my selfe
"not unhappy in my stay to be freed of an
"expencefull and troublesome journey. My
"Lady Nicholas is much afflicted, and I believe, Grief of a Secretary of State's wife.
"as well as hee, would for a good round summe
"hee had never had the seales. My Lord
"Keeper refusing to put the greate seale to the
"King's proclamation ag^t the persons accused, Lord Keeper offers to resign.
"did alsoe make tender of his charge, but how-
"soever remains still wth it. And thus, Sir,
"you see to what heighth of distempers thinges
"are come." † In this sad condition, exclaims

the same, D'Ewes goes on to remark that he took an opportunity of telling the Earl of Holland what he had done: and Lord "who very well approved the same with very fair expressions Holland.
"to me for it."—*Harl. MSS.* 163, f. 462 b. I need hardly add that Lord Essex is by no means to be put in the same category with such men as Lord Holland. Essex had been consistent throughout, and never concealed his popular views and wishes.

* This expression (by which the Under Secretary means persisting in the determination to retire from Windsor and Hampton Court as well as Whitehall) shows that the real design of the King, not simply to escape the sight or neighbourhood of the Triumph of the Five Members on the 11th, but actually and wholly to quit London and its vicinity until he could return its master, had been discussed at Court, and was already known in the Secretary's offices. The certain effect of such entire withdrawal, it is also obvious from the remark of Bere, was well understood as an abdication of the functions of the sovereign. It will leave us little to do here, says the Under Secretary to his friend the Admiral.

† MS. State Paper Office. Bere to Pennington: 13 Jan. Union in 1641-2. In the same letter the Under Secretary adds: "In Houses.
"the mean time they are united in the Houses, and the

Royal re-
verses.

Clarendon, was the King fallen in ten days,*
from a height and greatness that his enemies

Literary
entertain-
ment.

"accorde between the Upper House and Commons grows
"dayly more easy. . . . I send you herewith divers printed
"bookes of severall stiles, all w^{ch} I leave for yo^r entertaynm^t
"att spare howers. Sir John Byron, Lieut^t of the Tower,
"it's thought will yett be displaced: the Parliam^t not being
"satisfied wth his carriage, and having, as I am told, voted
"him a delinquent. . . The Parliam^t, it seemes, having [have]
"taken into consideration the small Gard is att present att sea,
"and soe have voted 30 faile to be sett out forthwth. This is

Letters not
safe.

"all I shall trouble you wth att present, in a time soe distracted,
"and wherein is soe little assurance into what handes letters
"may fall. Yours I humbly kisse and rest, &c. &c."

Desolate
court at
Windfor.

* *Hjfl.* ii. 182. On that "tenth" day the King had gone
to Windfor, and D'Ewes's journal gives us a glimpse of the
interior of the palace, from the reported speech of a mem-
ber of the House who had accompanied a deputation with a
message, which seems to bear out what is said by Clarendon.

"They found," said Sir John Holland, "a desolate Court,
"and saw not any noblemen, and scarce thirty gentlemen."
(*Harl. MSS.* 162, f. 359 b.) A few days later, when the
absence of Endymion Porter from his seat (he represented
Droitwich) was matter of remark, the same Sir John Holland,
D'Ewes tells us (*ib.* 162, f. 386 b.) "showed that when he was
"at Windfor with his message, the said Mr. Porter informed
"him that he was at that time the only man attending upon
"his Majesty in his Bed-chamber to dress and undress him:
"which was the chief cause that he could not attend the
"service of the House: and desired him to move the House
"in his behalf if anything should be said against him." To
which I am fortunately able to add, out of the rich unpub-
lished stores of the State Paper Office, a letter from Endymion
Porter himself to his "deare wyfe Olive Porter," dated from
Windfor on the 14th January, that very "tenth" day from
the arrest to which Clarendon refers. It presents a picture of
the straits of a married courtier during inauspicious times,
which is pleasing as well as highly characteristic; and very
curious is the view that is given us at its close, of the jealous
care with which the King and Queen were now guarding
their children.

Very old
story.

"MY DEAREST LOVE,—As for monnies I wonder you
"can imagin that I should helpe you, but you allwayes looke
"for impossibilities from mee, and I wish it were a tyme of
"mirrackles, for then wee might hope for a Good Success in
"everie thing. Whither wee goe, and what wee are to dooe,
"I knowe not, for I am none of the Councell: My dutie &

feared, to such a lowness that his own servants
durst hardly avow the waiting on him!

To the gloomy picture another touch is
added by a letter of Captain Slingsby * to his

"loyaltie have taught mee to followe my King and Master,
"and by the Grace of God nothing shall divert mee from
"it: I could wish you and your Children in a safe place, but
"why Woodhall should not bee soe I cannot yett tell. I could
"likewise wish my cabinetts and all my other thinges were at
"Mr. Courteenes—but if a verrie discrete man bee not there,
"and take the advise of the joyner to conveye them thither,
"theye will bee as much spoilde in the carridge as wth the
"rabble. Dearest love, to serve God well is the waye in
"euerything that will leade us to a happie end, for then
"hee will blese, and deliver us owt of all troubles: I praye
"you have a care of your selfe, and make much of your
"children, and I presume wee shall bee merrie and enioye
"one another long. I writt to you and sent the letters by
"Nick on tuesdaye, but that rogue is drunke, and I heare
"not of him. If you remember my service to M^r Eures, and
"tell her that I am her faithfull Servant, I will give you
"leauie to kisse M^{rs} Marie for mee: I wish sweete Tom wth mee,
"for the King and Queene are forced to lie wth their children
"nowe and I enuie their happines. I praye you lett this
"berer cum to me againe, when you heare where wee rest: dren.
"and soe Godnighte, sweete Noll.

"Y^r true frend and most loving husband,

"ENDYMION PORTER.

"Windfor this 14th of Januarie 1641."

I may add a further very notable illustration, from an un-
published letter of Dering's, of the difficulties and hardships
now incident to the courtier's trade. "The times," he writes
to his wife, "are desperate, and £100 in hand may quickly
"be worth £100 per annum. Will. Gibbes wrote yester-
"night for my advice. He would faine attend the King
"with his person, as other Cavaliers do: but his purse is
"empty, and the King soe poore that he cannot feed them
"that follow him. I was told that the prince one night
"wanted wine, and another candles." By the Prince must
be intended the Prince Elector.

* As this is probably the last time I shall have to refer to
Captain Slingsby, I may mention that on the Restoration he
was made a Baronet and Comptroller of the Navy; that he is
frequently referred to in Pepys's Diary; and that, in recording
his death at the close of October 1661, Pepys speaks of him as
"a man that loved me, and had many qualitts that made me

Slingsby
to Pen-
nington :
14th Janu-
ary.

Unexpect-
ed change
of position.

Officers
following
the King.

Lunfford
at Kingf-
ton.

Carterett.

Admiral one day later, on the 14th of January, which reveals somewhat more of the alarm and danger of the time. He describes what had happened since the famous day at Guildhall ; and how that he, and all who accompanied the King on the 4th, were now set apart and "esteemed criminals," while the gentlemen accused of treason passed with greater honour and applause than ever, having been brought back magnificently guarded to their seats at Westminster. "The King the day before," he continues (I omit his allusion to the Buckinghamshire horsemen who had ridden up to town to offer their service to the Parliament), "with the Queene and all their children, went away discontentedly, attended not with many lords or old courtiers, but with the officers of the late army in good numbers. He went first to Hampton Court, then to Windsor: this day removed from thence, whither I knowe not: but some say to Portsmouth, others to Woodstocke, and from thence to Yorke. There was yesterday a great feare in the Cittie by reason it was reported that Coll. Lunfford had made proclamation in Kingstone for all of the Kinge's party to come to him. If any such

"to love him, above all the officers and commissioners in the Navy." *Diary* (ed. 1854) i. 229. Captain Carterett, though an older man, survived Slingsby eighteen years. He did important Royalist service during the Civil War, and obtained high rank as well as several lucrative employments at the Restoration.

"things were, I believe it was but some drunken flourish of some of those souldiers that followed the King: yett the House hath sent order to the Sheriffs to apprehend them, and have, as I heare, sent likewise to Portsmouth to forbid the admittance of any such into the towne, as may breed tumult there."*

Capt. Slingsby makes light of the Lunfford proclamation as a "drunken flourish," but he yet connects it with the soldiers who were following the court,† and we have seen with what designs at this time, at least not unknown to the King, Clarendon couples Lunfford's and Digby's names.‡ Except for Charles the First's express disapproval on the scheme being submitted to him, he tells us that the accused members would either have been seized and taken

*MS. State Paper Office. Slingsby to Pennington: 14 Jany. 1641-2. The close of the letter is very characteristic. "All Agree- things go now currantly on in the Parlament with out any ment in apparent opposition: the malignant partie having all left Houses. the towne: only the Tower doth yett breede some jealousies. The Left^t refusing to come to the house, being sent for: and refusing to take the Protestation w^{ch} was sent to him. Some Victuals going to the Tower were stopped, and this day I heare it is absolutely blockt up: the seamen have offerd their service to batter it. A day or two since it was soe dangerous saying anything, y^t a man could not be assured of his life in speaking anything. Factions were so hott. But now the Language of the Pär: is only currant. Factions I pray God send us better unitie, but I can hardly expect it: though I thinke there are twice as many plotts discovered and printed than are really contrived."

† Clarendon also states (ii. 163) that besides his own gentlemen, "thirty or forty" of the officers of the Whitehall Guard also attended him.

‡ *Ante*, 205, 288, 322.

Rejected
plan
against
Five
Members.

to prison, or left dead in Coleman Street; and it is certain that the King's rejection of either this, or some other plan, which he had been disposed to entertain on the first failure of the arrest, was made matter of warning to him in later years. "You see," wrote the Queen, urging him afterwards to as rash an enterprise, "what has happened *from not having followed your first resolutions when you declared the Five Members traitors*. Let that serve you for an example, and dally no longer with consultations."*

Queen's
reproach
to King
for its re-
jection.

Charles I.
quits Lon-
don.

Under such advice is the ill-fated King abandoning the metropolis of his Kingdom. He confidently believed that he should soon return to it as its master, but he never again saw Whitehall until he was led through it to the scaffold. Before 4 in the afternoon he stepped into his coach with the Queen and their children, called to the window the Captain of the Trained Bands who had been in attendance at the palace during the last two eventful months, thanked him for what he had done, and drove off to Hampton Court.†

Never to
return as
King.

* Harl. MSS. 7379. Quoted in the *Fairfax Correspondence*, ii. 335.

Guizot's
History.

† Let me refer the reader who is not acquainted with the book to M. Guizot's lately revised and enlarged edition of his *Histoire de la Révolution d'Angleterre*. I know of no narrative of the incidents of Charles the First's reign, within the same compass, at all comparable to it for fulness, accuracy, and picturesque-ness. The account of the incidents under notice is a delightful specimen of narration, close and spirited; the observations are always thoughtful, considerate, and tem-

And now, to adopt the expression of Clarendon, it only remained to place the Five Members "on their thrones."

The Five
placed on
their
"thrones."

§ XXXIX. RETURN OF THE FIVE MEMBERS.

TUESDAY the eleventh of January, 1641-2, Tuesday, 11th January, was a clear bright winter day, and never had the great river, or either of its shores, presented such a scene as had there been visible since day break, from London Bridge to Westminster stairs. By land, the City Trained Bands on the one shore, and on the other the Trained Bands of Southwark, lined the road up to the very avenues of the Commons' House; and by water, guarding that silent highway through which the members were to pass, appeared on either side, connecting both the bridges in two compact and glittering lines, a fleet of vessels and long boats, armed with ordnance, and "dressed up with waist-clothes and streamers as ready for fight."* On all sides the aspect of a festival; eager animation, movement, light, and colour: but no mere holiday gaiety. Blending with whatever could give brilliancy to the scene, were signs everywhere of the solemn and earnest work in hand. The men who served the ordnance on board the vessels stood with their matches

March of
City by
land.

Guard by
water.

Great
festival.

No mere
holiday.

perately just; and the style throughout is charming. This enlarged edition has been fairly translated by Mr. Scoble (Ed. Bentley: 2 vols. 8vo. 1854).

* Clarendon, *Hist.* ii. 164.

Soldiers' pikes and muskets :

carrying printed votes of Houses.

Embarkation at "Three Cranes."

Under-Secretary's account.

What Clarendon saw.

lighted; and, fixed upon the pikes of the soldiers, attached to their muskets, flapping round their ensigns and colours, looped in their hats, or fastened on their breasts, were printed copies of the solemn Protestation, which bound all who took it to the rendering up life itself on behalf of the liberties of Parliament and the maintenance of the Protestant religion.* Manned by officers and seamen of the navy who had volunteered this service, one of the largest and richest of the City Companies' Barges had been provided and fitted for the Five Members; and in this, at midday, they embarked "from the Three Cranes,"† and so returned to the seats from which their sovereign had vainly hoped to banish them for ever. "They returned," wrote the Under-Secretary to Pennington, "with such multitudes as had "far more of Triumph than "Guard; and the seamen made fleets of boates "all armed with musketts and murdering "pieces, w^{ch} gave volleys all the way they

* "There was one circumstance," says Clarendon, "not to be forgotten in the march of the City that day, when the show by water was little inferior to the other by land, that the pikemen had fastened to the tops of their pikes, and the rest in their hats, or their bosoms, printed papers of the Protestation which had been taken and enjoined by the House of Commons, the year before, for the defence of the privilege of Parliament; and many of them had the Printed Votes of the King's breaking their privileges in his coming to the House and demanding their members." ii. 166. D'Ewes will be found to notice this also, *post*, 364.

† *Rushworth*, III. i. 484.

"went."* Arrived at Westminster, the enthusiastic applauses of the people who had crowded to give them welcome, outrang even the clattering discharges of ordnance which saluted them as they landed. They passed up the stairs, and into the lobby of the House.

The Speaker and the members stood up as the Five entered and took their accustomed places. The instant after, all the Five arose, and while Hampden, Hollis, Haselrig, and Strode stood silent and uncovered, Pym tendered in the most earnest language their hearty thanks to the citizens of London. He said that he could not but refer to the unexampled scene they had that day witnessed. Such had been the kindness, the affection, they had found in the City, that if the mode of expressing it, on this extraordinary occasion, had been somewhat unusual, the honour of the House was nevertheless engaged to protect and defend the citizens against all possible consequences thereof. The words (reported by Clarendon)† are extremely striking; and most significant was the appeal they involved from one supreme power

Welcome at Westminster.

Entrance into House.

Pym thanks the City.

Striking expressions used.

* MS. State Paper Office. Sidney Bere to Pennington, 13th Bere to January, 1641-2. The title begins: "The last weeke I Penning- told you but the beginning of those bad ensuing newes wee ton: must now dayly expect, unlesse it please God to give a strange, 13th Janu- if not miraculous change, whereby to settle the distraction of ary. affaires. The Committee sitting all last weeke in y^e City, returned againe to Parliament on Tuesday, and the persons accused wth them, for whom both citty and country have shown soe much affection!"

† *Hist.* ii. 165.

Impression made on Royalist member.

Would you be King Charles or King Pym?

Letter of Sir Edward Dering.

Guard against no enemy.

Members thought still in danger.

in the State, to another which was to assume from that day a more than equal sovereignty. Some idea of the impression made upon even a member of the House who sympathised with the King, appears in what Sir Edward Dering now wrote to his wife. "*If I could be Pym with honesty, I had rather be Pym than King Charles.*"* In the same letter, written the next day but one after the great festival, the member for Kent, after telling his wife that "heere have been five thousand petitioners out of Buckinghamshire to offer their lives to execute our commands," proceeds to tell her further, that by the help of God she was not to fear for his personal safety, for that many thousands had guarded them on the Tuesday, and that each day now the House itself was provided with a sufficient Guard "against no enemy." But some members of the House had been in danger, and how could any single member in future be reckoned safe? In vain did even this loyal knight of the shire for Kent, notorious for his resistance to the Remonstrance, assure and reassure his friends down in his native county. "Mr. Bullock came and offered," he writes, "with his friends, to be my personall Guard. I refused itt, but could not persuade him from my side, from morning to night, unless in the very House." The incident better explains

* MS. Letter before referred to, 48, and 358.

what the feeling was, which had brought thousands out of Buckinghamshire to the side of Mr. Hampden.

When Pym had ceased speaking, and when there had been called in, successively, the Sheriffs of London, the Masters and Officers of ships, and Serjeant Major-General Skippon, to receive thanks from Mr. Speaker, Hampden's colleague in the representation of Buckinghamshire (Mr. A. Goodwin) arose, and begged of the House that such of the gentry of that county as had been appointed to bear their petition* might be called in to deliver it.

* The opening sentences of this petition, which, if not written by Hampden, may be safely taken as the exact expression of his views, are characteristic and worth quoting: "That whereas, many years past, we have been under very great pressures, for which are clearly set forth in the late Remonstrance of the House of Commons; the Redreſs whereof hath for a long time been by you endeavoured with unwearied pains, tho' not with answerable success; having still your endeavours frustrated or retarded, and we deprived of the fruit thereof, by a malignant faction of Popish Lords, Bishops, & others; and now, of late, to take from us all that little hope which was left of a future Reformation, the very Being of the Parliament shaken; and, by the mischievous practices of most wicked counsellors, the privileges thereof broken in an unexampled manner, and the members thereof unassured of their lives, in whose safety the safety of us and our Posterity is involved: We hold it our duty, according to our late protestation, to defend and maintain the same Persons and Privileges, to the uttermost expense of our lives and estates." The last sentence is also remarkable. After stating such measures against evil counsellors as they believe to be called for, they close thus: "Without all which, your Petitioners have not the least hope of the kingdom's peace, or to reap those glorious advantages, which the fourteen months Seed-time of your unparalleled endeavours have given to their unsatisfied expectations." A similar petition was taken to the King at Windsor two days after this was delivered to the Commons. Nor was it the Bucks

Bucks
petition
brought
in.

Its guard
of 6000.

Crowd and
pressure in
lobby.

D'Ewes
in West-
minster
Hall.

"Little
square
banners."

Other
counties
petition
the King.

Whereupon, the same being assented to, the petition was brought in, and they who bore it informed the House that it had been accompanied to the town by above six thousand men, not one of whom but was ready with their lives and fortunes to defend them, the honorable members of the Commons, or, if need were, against whomsoever should in any sort illegally attempt upon them, *to die at their feet*.

"And then," says D'Ewes, "they withdrew out of the House: but they were so many, and the press was so great in the Lobby and room next without the door, that they were a good while before they could get out."*

D'Ewes followed them, and went to walk a while in Westminster Hall. There, clustered in various groups, stood citizens of the Trained Bands belonging to the eight companies who had guarded the Members that day. And D'Ewes noted upon the tops of their pikes, hanging like little square banners in the now still and quiet air, copies of the Protestation for defence of parliament and maintenance of religion.†

men alone who thus followed the King to his retirement. Others, according to Clarendon, promptly followed the example: "Though the King had removed himself out of the noise of Westminster, yet the effects of it followed him very close; for besides the Buckinghamshire petitioners, who alarmed him the same or the next day after he came to Hampton Court, several of the same nature were every day presented to him, in the name of other counties of the kingdom."—*Hist.* ii. 176.

* *Harl. MSS.* 162, f. 317 b.

† *Ib.* 162, f. 318 a.

Meanwhile, before the House rose, between 7 and 8 on that "ever to be remembered" day, the departure of the King from London had been remarked upon by honorable members, and the matter was reserved for debate until the following morning. Accordingly, on that Wednesday the 12th, the Chancellor of the Exchequer wished to know if he should move his Majesty to return to London, to come to a proper understanding? But Sir John Culpeper failed to elicit any satisfactory reply. Again, next morning, Thursday the 13th, the question was renewed; and, says D'Ewes,* "Sir Henry Cholmely moved that we should send to his Majesty to express our grief for his absenting himself from us, and to desire him to return, and to conceive that we are his best and surest guard. But Mr. *Denzil Hollis stood up, and said, that till himself and the other members of this House accused of High Treason were cleared, and the violation of the privileges of this House in their persons were redressed—*"

My Narrative closes here. The blank left is D'Ewes's own; and what yet there might have remained to tell, is better expressed in that eloquent silence. Of one of the most memorable incidents in our English history, more than enough will perhaps be thought to have been said in these pages. But it had consequences which

* *Harl. MSS.* 162, f. 329 b.

Question
not settled
in one
genera-
tion.

Struggle
of Com-
mons
against
Crown.

Why suc-
cessful.

were not determined even when the struggle of that generation ceased, and its actors, noble and ignoble, were also passed into silence. Every popular privilege won by the Commons in the long subsequent struggle with the Crown, owed something to this first grand conflict: and if their rights and powers are at last harmoniously adjusted, it is because, in the momentous scenes which have been here described, violence in the Chief of the State was at once met by prompt resistance; and allegiance to a sovereign who had broken the laws, was held of less account than that higher allegiance which all good men owe to their country and to posterity.

§ XL. CONCLUSION.

Arrest of
members a
deliberate
act.

How
baffled.

Only to be
met one
way.

IN my introductory remarks it was stated that the Arrest of the Five Members was no exceptional act on the part of Charles the First, extreme and violent as it was, but showed a strict agreement with what had gone before it; and, happily for those against whom it was aimed, only baffled its own deliberate and well-planned design by betraying it prematurely. The justification of the leaders of the Commons for the course they immediately took, with all its daring responsibilities, consisted solely in this. Force was to be met by force; and when Charles and his armed attendants passed through the lobby of the House of

Commons on the 4th of January, the Civil War substantially had begun. Clarendon himself admits as much when he calls it "the most visible introduction to all the misery that afterwards befell the King and Kingdom."*

The arrest of the Five Members was the final stage of the struggle against the Grand Remonstrance. That Appeal to the nation was designed to express the danger which had arisen to the popular cause from defections of its former supporters, to exhibit the past as a warning for the future, plainly to set forth the present insecurity of every concession that had been wrung from the King, and to invoke the People to defend and keep what had been won for them so hardly. The Arrest was a violent effort to reverse the eleven votes by which the victory was achieved, and to constitute the leaders of the minority, to whom the highest offices in the State had meanwhile been given, masters of the House of Commons. The issue was a plain one, and admitted only of the harsh arbitrament to which finally it was brought.

If, indeed, it had been possible to believe that it was in the nature of Charles the First to have left it honestly to such men as Falkland, Culpeper, and Hyde to administer the Government subject to such concessions and safeguards as had been wrested from the prerogative during

The Civil
War be-
gun by it.

Its con-
nection
with
Remon-
strance.

Design of
Remon-
strance:

object of
Arrest:

to make
the mino-
rity mas-
ters of the
House.

Improb-
able case.

* *State Papers*: Supplement to vol. iii. p. lv.

Peculiar
opinions
of King.

Nullity of
statutes in
bar of pre-
rogative.

All recent
acts in
peril.

Assent
under com-
pulsion
void.

Dangerous
logic.

the past year, there might have been a case against the adoption of measures which forbade the possibility of compromise. But a peculiar necessity was created by the character and opinions of the King. It was not merely that his bad faith was ineradicable; it was not even that he was understood to hold the high monarchical theory of the nullity of statutes in direct restraint of the prerogative; but that he was known to entertain the belief, that, in reluctantly giving assent to the most important of the measures passed by the Long Parliament, he was giving it under compulsion, and that such assent was therefore *ipso facto* invalid. With these views, let him once be relieved from pressure and everything gained for public liberty was lost. Clarendon himself informs us that his Attorney-General, Herbert, had encouraged him in the notion that the act against the dissolution of the Parliament without its own consent was for such reasons void;* and in mentioning his assent to the Bill excluding the Bishops from Parliament, he makes use of these remarkable expressions: † “An opinion that the violence and force used in procuring it rendered it absolutely invalid and void, made the confirmation of it less considered, as not being of strength to make that act good, which was in itself null. *And I doubt this logic had*

* *Life and Continuation*, i. 206-211.

† *Hist.* ii. 252.

“an influence upon other acts of no less moment than these.” How was it possible to deal on equal terms with such an antagonist?

Let the position be considered, too, in which a charge of treason specifically made, and which yet the accuser would neither prosecute nor retract, left those who were so accused. That startling remark of Hollis with which my narrative closes, throws considerable light upon this point; and Whitelock has an observation to the effect that the most powerful of the members accused (he alludes to Pym and Hampden) peculiarly resented the King’s refusal specifically to withdraw the charge.* So much indeed has been frankly avowed by Pym himself. In the Vindication which he published when the war broke out, he does not hesitate to avow that from the hour of that unjust impeachment his own conduct was changed. “When,” he says, “I perceived my life aimed at, and heard myself proscribed as a traitor, merely for my intireness of heart to the service of my country; when I was informed that I, with some other honorable and worthy members of the parliament, were, against the privileges thereof, demanded even in the parliament house by his Majesty, attended by a multitude of men-at-arms and malignants,—while for my own part I never harboured a thought

Position of
accuser to
accused.

Refusal to
prosecute
or with-
draw
charge.

“Vindi-
cation” of
Pym.

Why he
changed
his conduct
after ar-
rest.

* And see *Memorials*, i. 158 (Ed. 1853).

Parliament his only refuge.

Traitor or minister?

King will do anything but withdraw charge.

Will waive impeachment:

hopes Mr. Hampden is innocent:

will indict at common law:

“ which tended to any disservice to his Majesty, nor ever had any intention prejudicial to the State,—no man will think me blame-worthy in that I took a care of my own safety, and fled for refuge to the protection of the Parliament.” But how much more intolerable such conduct to a man who had refused, only a few days earlier, one of the highest employments in the State, proffered to him by his accuser!

The dogged obstinacy which was also a most material feature in the character of the King, had been here indeed startlingly displayed. The day after the return of the Five Members, he sent a message to say that he waived the impeachment begun on the 3d, and intended to proceed thereupon in an unquestionable way. The next morning, replying at Windsor to the petition of the Freeholders of Bucks, he told Mr. Hampden’s constituents, not that the charge was withdrawn, but that he would much rather that worthy gentleman should prove innocent than be found guilty, and that meanwhile he should not consider his crimes as in any sort reflecting upon those good subjects who had elected him as their knight of the shire! Eight days later, the House asked for proofs of the charge: to which after three days he replied, that he could not disclose his proofs, but that no time should be lost in preferring an indictment at common

law in the usual way. Nine days later, the House demanded once more to be informed, before a special day named, as to the nature and proofs of the alleged treason with a view to early and legal trial thereof: to which the King replied by deserting the intended prosecution altogether, and by offering a general pardon. The House then specifically claimed as their right, under certain statutes which they cited, that the King should not only, in addition, clear the members personally, but give up the names of the counsellors under whose advice they had unjustly suffered. Still he was immovable. A Bill for the acquittal of the Members was thereupon passed, and an impeachment of the Attorney-General voted. To save Herbert from punishment, he would at once have taken all responsibility to himself; and he offered the House any kind of satisfaction, excepting always that which they claimed. Immediately before the civil war broke out, the Attorney-General was disabled from being a member assistant, or pleader, in either House of Parliament, and committed to the Fleet: but still the King remained obdurate and unimpressible as ever. Nay, after the civil war had begun, and when the first attempt was made to mediate at Oxford after the battle of Edgehill, “a bill to vindicate the 5 members” was among the propositions submitted; when again he refused it, and angrily interrupted the Commissioners.

will abandon all proceedings:

will give general pardon:

but nothing else.

Attorney-General impeached:

and punished.

King still immovable.

One of the Oxford propositions.

The Earl
and the
King.

So angrily, adds Whitelock,* that the Earl of Northumberland, who led upon the Parliament side, showed a sober and stout carriage, and on being once more interrupted, said smartly, "*Your Majesty will give me leave to proceed?*" "*Aye, aye!*" replied the King.†

Strong
ground for
discon-
tent:

It need hardly surprise us, after this recital, to be told by the memorialist that the most moderate members of parliament held it matter of great discontent, that, except by general waiver and withdrawal of further proceedings, the imputation of treason was never removed from men in whom the House

stated by
White-
lock.

* *Memorials*, i. 196.

† The greater portion of this paper war of petitions and replies which had ensued will be found in Rushworth (*Coll.* III. i. 434-494). Clarendon (*Hist.* ii. 173-178) has also largely quoted them, and it is manifest that some of them bear the marks of his hand. Nor do I ever read one of Hyde's state papers of this kind without feeling the truth of that old courtier's comment on their new ally which is mentioned by Sir Philip Warwick (*Memoirs*, 217): "Our good pen will harm us;" or, as Sir Philip himself puts it, "A blunt ivory knife cuts paper better than a steel blade (as Swift had occasion to remind a high-flying Secretary in later time), and it is quite possible, both in the higher and lower departments, to have the work of the State too sharply done. There is a story told, something to the purpose, of Lord Burleigh and his son Cecil. Being at Council, and reading an order penned by a new clerk who was reputed a wit and scholar, he flung it downward to the lower end of the table to his son, the Secretary, saying, "Mr. Secretary, you bring in "clerks of the council who will corrupt the gravity and "dignity of the style of the Board;" to which the Secretary replied: "I pray, my Lord, pardon this. The gentleman "is not warm in his place, and hath had so little to do, that "he is wanton with his pen; but I will put so much business "upon him, that he shall be willing to observe your worship's "directions."

Too clever
Clerk of
Council.

reposed its highest confidence. But, in the face of such facts, what becomes of Clarendon's assertion that the Arrest was a sudden act as suddenly repented of; that no circumstance of deliberation attended it; and that it was followed, not by hardy and obstinate persistence, but by the instant trouble and agony which attends usually the generous mind, upon its having unreflectingly committed what it promptly perceives to be an error.

It seems to me very necessary, in closing this work, to fix attention upon such deliberate perversions of the truth, because they constitute for the most part, with all writers of a particular class, the sole ground of attack against the Commons for having treated the outrage of the 4th of January as a challenge to civil war. Nothing is more certain than that, even while the outrage itself was still in progress, there was time for reflection presented to its author; and that if this had been properly employed, at least some of the disastrous consequences might have been intercepted. Let me here, therefore, briefly recall in what way it was employed.

Without adopting Whitelock's view that if Charles had promptly withdrawn the impeachment little more trouble might have attended it (a view which makes too small allowance for the settled distrust which his

Clarendon's de-
fence of
Charles.

The truth
misstated:

as a
ground for
assailing
Commons.

Doubtful
assertion of
White-
lock.

Probable
effect of
withdrawing
charge.

Effect of
King's
obstinate
refusal.

Persistence
in the
outrage.

Interval
for good
advice.

Good advisers
provided.

previous conduct had inspired), it is yet very far from impossible but that, frankly done at the first, it might certainly have recovered so much ground for the King as not wholly yet to have broken and dispersed his party in the City. Not only, however, did he fullenly leave the charge rankling in the breasts of such men all powerful in debate as Hampden and Pym, whom it ever afterwards indisposed to any mediation or compromise; not only did he refuse to withdraw it, as we have seen, when finally compelled to withdraw all proceedings; but, up to the day when the storm broke over him under which he had to yield, and which with an obstinate impassiveness he had watched as from day to day it made darker the skies above him, not a word was uttered by him, or an act done, of which the manifest and unmitigable tendency was not to exaggerate every danger, and to confirm and extend all the fears, generated by his first rash attempt.

There was but an interval of six days between his entering the House of Commons and his flight from Whitehall; and in that interval, Clarendon tells us, he had renewed his commands to himself, Falkland, and Culpeper, to give him constant advice what he was to do.* What, then, having the inestimable benefit and advantage of such confessed advisers, *did* he do? In

* *Life and Continuation*, i. 101-2.

full view of the danger escaped by failure of his instructions on the evening of the 3rd of January for firing on the Citizens, and of the mistake committed by failure of his attempt on the morning of the 4th for seizing on the Members, what were the steps taken, under such advice as Hyde admits him now to have had the full opportunity to profit by—to express regret or make reparation? What, in a word, was the course he took at that point of time which Clarendon fixes beyond question as “before he left Whitehall?”

On the night of the 4th, with those ominous sounds of Privilege! Privilege! still ringing in his ears which had followed him as he left the House that day, he caused a Proclamation to be issued, declaring that certain members of the House of Commons were under accusation of High Treason, and ordering the ports of the kingdom to be closed against any attempt they should make to evade justice. On the morning of the 5th, he issued under his own hand Warrants for their arrest addressed to the Sheriffs of London. On that day, also, he went himself to the City, and in person demanded that the accused, whom he knew to be concealed therein, should be delivered up to him. On that evening, he drew up with his own hand a second Proclamation against harbouring the men whom he designated as traitors. On the morning of the 6th, he dispatched a

Result
upon the
King.

Events
between
4th and
9th Janu-
ary.

4th : P. M.
Proclama-
tion
against
Members.

5th : A. M.
King's
Warrants
and Visit
to Guild-
hall.

5th : P. M.
Second
Procla-
mation.

6th: A. M. Royal Serjeant into the City with orders to effect the arrest. On the 7th, the Common Council voted their petition in behalf of popular rights; and on the same day, such evidence was taken by the Committee at Grocers' Hall ("upon questions," says Clarendon, "whereof many were very impertinent and of little respect to the King") as conclusively established the danger to which the Commons had been exposed. On the 8th, the day when Lord Falkland was formally sworn in before the Council as one of His Majesty's principal Secretaries of State, and the morning after that vote of the Committee which invited the accused publicly to resume on the following Monday their places and duties as representatives of the people, there came forth a third Proclamation from the King reiterating against the members the accusation of high treason, and commanding all magistrates and officers throughout the kingdom to apprehend them and convey them to the Tower. Moreover, on that same day of the 8th, a private order was sent from the Council Board, at which Falkland had taken the oaths and his seat but an hour or two earlier, giving instructions for proceedings against those (notoriously the members for the City) who, upon the sudden alarm of two nights before, had called out the Train Bands for protection of the Citizens. Was it possible that the

7th: A. M.
Common
Council
Petition.

8th: A. M.
New
Ministers
at Council-
Board.

Same day:
Third
Proclama-
tion
against
Members:

and
private
order from
Council
Board.

House of Commons, how reluctant soever to enter on the struggle, could in such circumstances as these have declined or evaded it?

There was manifestly no alternative left. Such middle course as D'Ewes would have proposed before resorting to an open defiance, was simply hopeless. It had become clear that the attempt upon the Members could not be defeated without a complete overthrow of the power of the King. He could not remain at Whitehall if they returned to Westminster. Charles raised the issue, the Commons accepted it, and so began our Great Civil War. The King drew the sword upon the day when he went with his armed followers to arrest the Five Members in their places in the House. The House of Commons unfurled their standard on the day when, declining to surrender their members, they branded with the epithet of a Scandalous Paper the articles of impeachment issued by the King.

No middle
course pos-
sible.

Accept-
ance of
issue
raised.

Civil
War.

INDEX.

Alison.

ALISON, Sir William (York,) speaks against Lunford, 36.
Argyle, Archibald Marquis of, made Scottish Chancellor, 17. (See *Montrose*.)
Arrest, privileges of Commons against, explained and asserted, 213 14, 304-5, 307-8. 315.
Arrest of the Five Members. See *Five Members*.
Attorney-Gen. See *Herbert, Sir E.*
Authorities cited or referred to :
MS. See *Bere. Carterett. Dering. Dozue. Latche. Marston. Nicholas. Porter. Slingby. Smith, (Thomas). Windebank. Wiseman, (Thomas).*
PRINTED. See *Bramston. Bruce. Butler. Clarendon. Echard. Eikon Basilike. Filmer. Forster. Guizot. Hacket. Hall. Hallam. Heath. Heylyn. Hobbes. Howell. Hume. Hutchinson. Lewis. Lilly. Macaulay. Nalson. Napier. Pepys. Rushworth. Russell, (Lord John). Sandford. Verney. Warwick, (Sir P.). Whitelock. Wright.*
Aylebury, Mr. writes from Rome to Hyde, 224, 225 *note*.

BAAL, or Ball, Peter, Queen's Attorney, 129 *note*.
Balfour, Sir William, removed from governorship of the Tower, 34. Clarendon's Note thereon, and on his Successor, 35 *note*.
Balgony, Leslie, Field Marshal of, made an English Earl, 17.

Bere.

Banks, Sir John, to be Lord Treasurer, 30 *note*.
Barberino, Cardinal Francesco, makes "particular mention" of Pym and his friends, 225 *note*.
Barrington, Sir Thomas (Colchester), 37. Named on Committee of Safety, 280.
Bates, Dr. on Lady Carlisle's connexion with Pym and his friends, 137. On Advisers of the King's Visit to the House, 137. 140. 141.
Bath, Earl of, to be a Privy Counsellor, 58.
Baxter, Richard, on the term "Roundhead", 136—7 *notes*.
Baynton, Sir Edward (Chippenhams), on secret communications to the King, 210.
Bedford, Earl of, joins in Protest relative to Lunford's removal, 36 *note*. 65.
Beedham, Mr. 87 *note*.
Bellasis, H. (Yorkshire), motion of, relative to the Bishops, 102 *note*. Suggests attempt at accommodation with the King, 201 *note*.
Bere, Sidney (Correspondent of Admiral Pennington), appointed Under Secretary, 5. Describes Opposition to printing the Remonstrance, 5, 6. On Charles's Visit to City, 22. Fears and distractions daily increasing, 26. On Secretary Nicholas's worth, 26, 27. *notes*. Court dismissals and appointments, 30 *note*. Dismissal of

Biron.

Young Vane, 53. Further on Official changes, King's movements, and his own probable dismissal, 56 and *note*. On Commotion arising out of the Lunford affair, 69, 70. On the Bishops and their Protestation, 96 *note*. Reports their Commitment to the Tower, 98. His fears and hopes on the occasion, 99 and *note*. On King's Visit to the House to seize the Five Members, 194, 195, *notes*. His dread as to ultimate result: flying rumours, 203, 204. Why he declines a Christmas Invitation, 204 *note*. Rumours against Lords Bristol and Digby, 206. On Secret Service assigned to the Admiral, 361. King's flight and disquietude of his Counsellors, 361—363. Union between the two Houses, 363, 364 *notes*. Describes Return of Members, 370. 371 *note*.

Biron, Sir John, appointed Tower Governor, *vice* Lunford, 70. "Little better accepted than the other", 77. Called before Commons' Committee, 334. 341. His Message to them, 355. Suspended, 355 *note*. 364 *note*.

Bishops, Petition against enforcement of Liturgy by the, 32 *note*. Course taken by them on account of the Tumults, 89. Purport of their Protestation thereon, 89—91. Real Author of Protestation: object contemplated by him, 91. What might have followed had Protest been admitted, 92. Provocation given, 92, 93. Bishop Hall's account of what led to the Protestation, 93, 94. Clarendon's Account: Course taken by King, 94, 95. Prompt action of Commons, 95. Cromwell as to Episcopal Spirit, 96. Sidney Bere's strictures on the protesting Prelates,

Buckingham.

ibid. note. Their conduct condemned by Clarendon, 96, 97. His opinion of their Impeachment, 97. View taken by Pennington's Correspondents, 97—100. Real drift of Protest, 100. Glyn sent up to impeach them, 101. Hacket's Lament for them: feelings of the Lords, *ibid. note*. Tower Gates closed upon them, 102. Civilities exchanged while in durance, 103 *note*. D'Ewes's comments, 104, 105. Tower preferable to Black Rod's Custody, 105 and *note*. Delight of Commons at their folly, 105, 106. See also 173. 174 and *notes*. 341.

Bodvill, Mr. John (Anglesey), and the Clerk's Journals, 332.

Bolingbroke, Earl of, 36 *note*.

Boswell, Sir John, 204 *note*.

Brampton on Attack on Archbishop Williams, 71, 92. His account compared with Clarendon's and Hacket's, 89 *note*.

"Bridle" the, for too restless Citizens, 33.

Bristol, John Earl of: to be Chamberlain, 30 *note*. Commons' Charge against him, 78. 82, 83. Spanish Match expedition, 82. Best account of that mad freak, 82 *note* †. Cromwell denounces him, 83. Rumours against him and his son, 206. See *Digby*.

Brooke, Lord, 36 *note*. Honour designated for him, 58.

Brown, Mr. Clerk of House of Lords, 303.

Brown, Mr. R. (Romney), brings up Lincoln's Inn reply, 176.

Brown, Sir A. (Surrey), reports slander on Pym, 358 *note*.

Bruce, John, Esq. Note by, 20 *note* *.

Buckingham Freeholders come to London, 338, 339. 357, 373. Their numbers, 339 *note*. Hampden's share in their peti-

Buckle.

tion, 340, 341 *notes*. 373 *note*. Debate as to receiving them, 353, 354. 373. Called in, 374. King's reply to their Petition, 380. See *Goodwin. Hampden*.

Buckle, "One Mr."; Threat uttered by, 169.

Bullock, Mr. 372.

Burleigh, Lord, Anecdote of, 382 *note*.

Butler, Samuel, couplet quoted from, 344 *note*.

Byron. See *Biron*.

CAMDEN SOCIETY BOOKS rich in illustrations of period comprised in this work, 49 *note*. Quotations therefrom. See *Brampton. Verney*.

Carew, Alexander (Cornwall) 279.

Carlisle, Earl of, 36 *note*. 37 *note*. See *Hay, Lord*.

Carlisle, Lucy Countess of: has intercourse with both parties, 15. Communicates Court Secrets to popular Leaders, 16. Causes of her betrayal of the King's party, 133—135. Sir P. Warwick's Scandal about her, 135, 136 and *notes*. Dr. Bates's more complimentary interpretation, 137. Result of her closetings with the Queen, 138, 139. Gratitude expressed for her services, 140. Dangers averted by her warning, 144. 145 *note*. 195. Precise moment of her communication of King's intentions, 175.

Carterett, Captain, Correspondent of Admiral Pennington, 51. Clarendon's testimony to his eminence, 52. Reports dismissal of the two Vans, *ibid.* Parliamentary appreciation of his services, *ibid. note*. Announces the publication of the Remonstrance, 60. His reflections on affairs, 60, 61. Confirms fact of Lunford's knighthood and pension, 70 *note*. On causes of popular

Charles I.

disquietude, 287. 296, 297. His later career, 366 *note*.

Cavalier, first use of the epithet, 62. Sense in which it was used: instances cited, 62, 63 *notes*. William Lilly on the same subject, 64, 65 *notes*. See 341. See Roundhead.

Cave, Sir R. (Lichfield) named on Committee of Safety, 280.

Cecil's excuse for a Clerk's "wanton pen", 382 *note*.

Chadwell, William (St. Michaels), munimental trick attempted by, 244, 245. His narrow escape, 245 and *note*.

Chambers, John, deposes to violence of King's Guard, 327.

Chandois, Lord, 37 *note*.

Charles, Elector Palatine, accompanies the King into the House, 184, 185. Joins him in his flight, 361. A Prince's privations, 365 *note*.

Charles the First, fatal day in the life of, 1. His attempt on Five Members correctly stated in *Eikon Basilike*, 2. Services rendered to him by Admiral Pennington, 3. Was Lord Digby sole adviser of the arrest? 10. Charges intended against Pym and Hampden, 12. His ways of dealing with opponents: always too late, 12, 13. Results of his obstinacy, 14. Clarendon's version of his consultations with Lord Digby and their betrayal, 15 *note*. Nicholas's communication relative to Lord Kimbolton, 15, 16. His conduct towards avowed Rebels and popular Leaders contrasted, 17, 18. Enlarges scope of his accusation against the latter, 18. His "confident and severe look", 20. His self-deception on strength of Royalist party in City, 21. Contemporary accounts of his reception there,

Charles I.

21, 22. Confers honours on City Magnates, 22. Adulatory Reports, *ibid.* note. Probable effect of Lenthall's desire to resign, 22, 23, 25. Instances of his foolhardiness, 29. Assails privileges of Commons, 30, 31. His double provocation of the Puritans, 31. Consequences of his reprieve of condemned Jews, 31, 32 note. His Warrant appointing Lunsford Tower Governor, 34 note. Responsibility for that act, 35 note. Alleged reason for dismissal of Lord Newport, 37. Gives Lord Newport the lie and retracts, 38, 39. Endeavours to win Pym to his side, 42, 43. Why his efforts failed, 42 note. Pym's secret influence over him, 44—46. Renews offers of place to Pym, 47. Dering on his overture to Pym, 48. Effect on Commons of his dismissal of young Vane, 53. Proposal of Regency during his sojourn in Scotland, 56—7 note. Negotiations in London with popular leaders, and sudden change in Scotland, 57—8. His ill-advised act on the Fast day, 61. Its fatal consequences, 62. His indiscretion relative to Volunteer Guard, 72, 73—75. How he received Declaration of both Houses, 75. Justifies his acceptance of the Guard, 75, 76. Anticipated result of his noncompliance with Commons' desires, 80. His conduct on receiving Bishop's Protestation, 95. Commons' Demand for Guard, 109, 110. His expedients pending his answer, 110, 111. His reply and its accompaniment, 112. Impeachment of Five Members laid solely at his door, 113. Answer, in his own hand, to Petition of both Houses for Guard, 114 note. His choice of Commander a proof of

insincerity, *ibid.* His Interview with the Commons' Deputies, 126. Question of his responsibility further discussed, 127—129. Pernicious fruits of the Queen's interference, 129—139. (See *Henrietta*). His abettors in renewed attempt on the Commons, 139—142. Alleged evidence in support of his charge, 142, 143. Clarendon's view of the matter, *ibid.* notes. Incapable of a wise Fear, 145. Issue raised by his attempt, 145. Its alleged "gentleness," 150 note. His style of writing, 151. His advisers and their share of responsibility, 153, 154. Attempts to induce the citizens to aid him, 155—157. His Warrant for that object, 157, 158. Whitehall clocks too late, 156, 159. Goes to the House to demand the Five Members, 179. Number and equipment of his attendants, 180—184. Enters "where never King was but once", 184, 185. His reception by and bearing towards the members, 185—187. His Speech to the House, with corrections by his own hand, 188—190. Lenthall's Reply to his appeal, 191, 192. William Lilly on his manner of Speaking, 192 note. His Speech on finding his "birds flown", 193. His bearing on leaving the House, 193—195. Accounts of the scene by Slingsby and Bere, 194 note. D'Ewes's account of what took place on his departure, 195—200. Mischief let loose by the act, 206. Hyde his private adviser, 208. Clofeted with him, 209 note. Lilly's verdict on his "rash action", 217 note. Money solicited for him from Foreign Rulers, 224. How the Commons met his Proclamation against Essex, 240.

Charles I.

Charles I.

Sir Peter Wentworth's plain speaking, 242. Sends for Rushworth, 251. Their interview, 252. Issues Proclamation against Five Members, 253. His Warrant for seizure of arms in City, 257 note. Announces intention of addressing City Authorities, 258. His reception in Guildhall, and how he fared by the way, 258—263. Wiseman's account of the affair, 264—267. Citizens' answer to his demand for Five Members, 267. Their advice to him, 268. His first act on return from City, 269, 297. Its responsibility entirely his own, 270, 271. Commons' Proceedings arising out of Arrest, 271—281. Apprehensions natural to the times, 283. Montrose's offer to assassinate Argyle and Hamilton, 284, 285, 286 notes. Pym's heaviest charge against him proved, 299, 300. Commons' Declaration against his conduct, 319, 320. His Order in Council on position taken up by the City, 324, 325 notes. Evidence as to intended violence by his followers, 326—329. Further proclamation against the Five Members, 333. Threatens a Visit to Commons' Committee, 337, 338. Determines to quit Whitehall, 356, 357. His terror and its causes, 359. His reasons for leaving London, 360. MS. references to his flight, 361—368. (See *Bere—Dering—Slingsby*.) Off to Hampton Court, 368, 369. Case between him and the Commons summed up, 376—387. (See *Clarendon. Commons. Five Members*.) Charles II. Glyn's accident at Coronation of, 344 note. Chaucer, Bishop Hacket's estimation of, 91 note. Chomley, Sir Henry (Northal-

City.

lerton), object of Motion by, 243 note. Question put by him, 375. City; strength of Royalist party in the, 21. Hopes founded by King on his reception there, 21, 22. Honors conferred on City Dignitaries, 22. Reappearance of "factious Citizens" at the Houses of Parliament, 26. "One of the House" catechized by them, *ibid.* note*. Their anti-royalist feelings further manifested, 27. Lord Mayor's unpopular acts, 28. Agitation by reason of reprieve of Popish Offenders, 31, 32. Petition against enforcement of Liturgy and offensive proclamation thereon, 32. Result of Attack on Newgate, *ibid.* note. Indignation provoked by King's Acts, 32, 33. City 'Prentices attacked by the Soldiery, 68, 69. Citizens assailed by King's Guard, 73, 74. Attitude assumed by them: Slingsby's apprehensions, 80. Solicited by Commons for Military Aid, 124, 155, 157. Efforts of the King to forestall Commons in this matter, 155—159. Five Members' place of Refuge, 253. Character of the City and habits of its Merchants, 253—254. Its Military Organization: Duties imposed on Aldermen, 254 note. Its fortifications and other defensive appliances, 255 note. Its enrichment by trade: cause of Clarendon's lament, 255, 256. Its adherence and services to the popular cause, 256. Comes in for its share of Court Lampoons, 256 note. Scene presented on night of Arrest, 256, 257. Apprehended Seizure of Arms, 257 and note. King's self-invitation to Lord Mayor, 258. King's progress to and reception in Guildhall, 258—263. (See *Rushworth. Slings-*

Civil War.

by. *Wifeman*, T.) Answer to King's demand for the Five Members, 267. Advice tendered to him therein, 268. Meeting of Commons Committee at Guildhall, 300, 301. How the Committee was welcomed and treated, 301, 302. Proceedings of Committee, 302—316. (See *Commons*.) State of City on Publication of Commons' Declaration, 320, 321. Causes for alarms afloat, 322. Number of armed men within call for defence, 323. Judicious arrangements of Lord Mayor: Proceedings of King and Council, 323, 324. King's Order against those who "put the Trained Band in arms", 324, 325, *notes*. One cause for increase of Civic alarm, 325, 326, 333. Appearance of City on 9th January, 338. Its march with the Members, 369. Pym's thanks to the Citizens, 371.

Civil War, Great, first blood shed in the, 64. Who were the first aggressors, 66. Aspect of the Elements on its eve, 67, 68. Captain Slingsby's apprehensions 80. Responsibilities incurred by its instigators, 80, 81. Its real beginning, 377, 387.

Clare, Earl of, 36 *note*, 37 *note*.

Clarendon, Edward Hyde, Earl of; misrepresentations of, relative to Charles's attempt on Five Members, 1. His character of Admiral Pennington, 3, *note*. Mistakes cause of Palmer's Committal to the Tower, 8. Asserts Lord Digby was sole adviser of King's attempt, 10—12. His character of and friendship with Digby, 11 *note*. His Opinion of guilt of the Five Accused, 14. Asserts ignorance of Lord Kimbolton's complicity, 14, 15. His version of Charles's

Clarendon.

Consultations with Digby, 15 *note*. Effect on the King of tone adopted by him and his Colleagues, 18. His character of Lenthall, 23 and *note*. His comments on Windebank's flight a key to his views on the Popish Reprieves, 32, 33 *notes*. Explains object of Lunsford's appointment, 34, 35. His disingenuous note on Balfour's dismissal, 35 *note*. Throws responsibility of Lunsford's appointment on Digby, *ibid*. His estimate of Captain Carterett, 52. His opinions and admissions relative to King's Guard, 72, 73. His version of their attacks on the Citizens, 73, 74. On the epithets "Roundhead" and "Cavalier", 74. His account of attack on Archbishop Williams contrasted with others', 89 *note*. Way in which Bishops' Protest was concocted, 94, 95. His opinion thereon and on their subsequent punishment, 96, 97. His charge against Digby *in re* Kimbolton's Impeachment, 116, 117. Absent from House during debates on arrest, 121. Queen's part in Impeachment of Five Members, 132, 133. His apology for Lady Carlisle's defection, 134. On the legality of the King's Proceedings, 150 and *note*. 151, 152. Imputation against him and his friends, 153. Their way of getting out of the dilemma, 153, 154. His charges against and estimate of Hampden, 168—170. Hampden's significant remark to him, 171. Bearing of Pym and Hampden towards him, 172 *note*. On number and equipment of King's Guards, 181. False issue raised by him on King's failure, 202, 203. Period at which he became King's private Adviser,

Clarendon.

208. A double dealer by his own confession, 209 and *note*. Suspected of Treachery towards the Commons, 210—212. Accused of advising the Arrest, 212. Reasons for disbelief as to alleged Speech by him, 212—214. Why Falkland excused his absence from the House, 215 *note*. No evidence of his presence during debates on Arrest, 215, 216. 293. Letter to him from Rome, 224, 225 *notes*. Why he laments absorption of Wealth by City, 255. Not named on Committee of Safety, 280. Question raised on his statement of Montrose's murderous offer, 284, 285, 286 *notes*. Liberties taken by his Sons with his MSS: 1826 Edition, how made up, *ibid*. His inferences relative to fears excited by King's conduct contrasted with his own admissions, 286, 287. 294. 295. Plans of himself and Digby for seizing Five Members, 288, 289. His faithlessness as an Historian, 289. Comparison of his Statements of Proceedings of 5th January with those of D'Ewes, Verney, and Rushworth, 289—293. His sole Argument of any weight, 303. His insinuations repelled by D'Ewes, 310. Real points at issue evaded by him, 310, 311. Construction put thereon by impartial bystanders, 311 *note*. Value of D'Ewes's Notes as correctives of his misstatements, 317. Recapitulation of such misrepresentations, 317, 318. Answers thereto furnished by D'Ewes, 318, 319. Trustworthy when not misled by his feelings, 320. What he says of the "great change in all sorts of People", 321 and *note*. Alarms traceable to the threats of his friend Digby, 322. Too keen

Commons.

a pen, 382. Deliberate perversion of the Truth, 383. See also 369, 335, 353, 356, 362, 364, 367, 370, 371, 374.

Clarendon, Henry Hyde, Earl of, Liberties taken by him and his brother, Lord Rochester, with the MS. of their Father's History, 284, 285, 286 *notes*.

Clotworthy, Sir John (Malden), 38, calls attention to Irish Affairs, 276; Persists in his object, 282. Service performed by him, 349, 350.

Coke, Sir Edward, 39.

Coke, Sir William, Anecdote told by, 126. 137, 138. Credit given to it by Halselrig, 140, 141.

Commons, House of; growing alarms amongst Members of, 20. Proceedings of the Lord Mayor resent by them, 28. Their dissatisfaction at Young Vane's dismissal from Office, 30 *note*. 53. Their privileges assailed by the King, 30, 31. House much distracted at "reprieve of the Priests", 32 *note*. Course taken on Lunsford's appointment, 36. Their supporters and opponents in the Lords, *ibid*. and *note*. Address voted for Lunsford's Removal, 37. Their request to Lord Newport to take command of Tower, 37, 38. Their reception of Old Vane on his dismissal, 52. Time supposed ripe for destruction of their Leaders, 67. Their proceedings on Lord Newport's Dismissal, 82. Course taken with reference to Lords Bristol and Digby, 82, 83, 84. Long silences in the House; Officering of the Army debated, 84, 85. Members alarmed by a suggestion of Pym's, 106. D'Ewes's Proposition, and the Speaker's rider to it, 106, 107. Pym's remedy for apprehended dangers, 107, 108. D'Ewes's

Commons.

troubles and doubts on the occasion, 108, 109. Demand for Guard for the House, 109. How the King received and answered such demand, 110—112. Joined by the Lords in demand for Guard, 115. Result of Proceedings on seizure of Members' Papers, 120—126. Ald. Pennington and Captain Venn sent to City for Guard, 124. 155. 157. Course taken by King to defeat this step, 155—158. Resolution adopted in consequence of King's tampering with Inns of Court, 161. Result of Messages sent to the four Inns, 176, 177. Re-entrance of the Five Members: King's Secret disclosed to the House, 177. Further disclosures, 178. Five Members depart, 179. King's approach to the House 4th January: his retinue, 179—184. Appearance of House on his entry, 184—187. Speaker Lenthall's memorable Speech, 191, 192. King's Speech and departure, 193—195. Slingsby and Bere's Account of the Transaction, 194 *note*. Copy Entry of this day's proceeding in Journals of House, 196 *note*. D'Ewes's minutes of what passed after the King's departure, 195—200. Discussion on answers to Royal message, 221—223. Why Sir R. Hopton incurred displeasure of House, 223—227. Proceedings in Sir Edward Dering's Case, 228—231. Conflicts between Speaker and Members, 236. 238. 241. Cause of House's laughter "amid sad apprehensions", 247. Result of attempts to enforce Members' early attendance: The Shilling Fine, 247—249. Precautionary steps taken on reassembling of House on 5th January, 271, 272. Mr. Grimston's telling

Commons.

speech, 272—275. Result of motion thereon, 275. Upshot of Discussion of Declaratory Resolution, 275—279. Numbers on two important Divisions, 279, and *note*. Constitution of Committee then named, 280. Motions by Lord Lisle, Sir P. Stapleton, and N. Fiennes, 281. Cause of House's abrupt rising, 281, 282. Reasons for alarm, 282, 283. Clarendon's report compared with contemporary accounts, 290—293. Point gained by adjourning Sittings to Guildhall, 294. What Slingsby "heard some Parliament men discoursing of", 298, 299. No hitherto known report of Proceedings at Guildhall, 300. Value of D'Ewes's Notes, *ibid*. Committee at Guildhall, (6th Jan.). Rushworth's and Verney's notices: Clarendon's confusion, 300, 301. Subjects treated of at this Sitting, 302—313. Dispute between D'Ewes and Wilde, 314, 315. Resolutions ultimately adopted, 315, 316. Hyde's aspersions read by the light of D'Ewes's Journals, 317—319. Declaration of Breach of Privilege, and Publication of same, 319, 320. State of public feeling, 320—326. First Sitting at Grocers' Hall (7th Jan.). Abstract of evidence as to outrage of the 4th, 326—329. Proceedings thereon: another dispute between D'Ewes and Wilde, 330—332. Effect of Resolution to invite return of Five Members, 332. How the King met that resolution, 332, 333. Second Sitting at Grocers' Hall, (8th Jan.) Measures on King's further Proclamation, 333—336. King's threat to attend Committee, 337. Orders issued thereon: its upshot, 338.

Compton.

Last Sitting at Grocers' Hall. Glyn's communication, 340. Alderman Pennington's suspicions relative to the Tower, 340, 341. Resolutions against Killigrew and Fleming, 341, 342. The like against Evil Counsellors, Proclamations, and Warrants, 343. Maynard's effective Speeches, 344—346. Sailor Volunteers and their offers, 347 and *note*. Directions given to the "Water Rats", 347, 348. Arrival of the Five Members, 348. Common People's offers at this juncture, 348, 349. Defensive arrangements made for return to Westminster, 350—352. Hampden's 4000 men from Bucks, 353, 354. Last acts of Committee, 354—356. At Westminster again. Resumption of their seats by the Five Members, 371. Proceedings on the occasion, 371—373. Bucks Petition and its Guard of 6000, 374. Questions about the King answered, 375. Fruits of Struggle between Commons and Crown, 376. Case between the two parties summed up, 383—387. See *Bishops, Charles I. Clarendon, D'Ewes, Five Members, Lenthall*. Compton, Lord (Warwickshire) communicates King's answer to House's Message, 210. Coniers, Sir John, made Lieutenant of the Tower, 355 *note*. Ground of King's exception to him, *ibid*. Coningsley, Captain, Lieutenant of Ordnance, examined before Commons' Committee, 334. Conway, Viscount, 37 *note*. Cooke, Sir Robert (Tewkesbury), named on Committee of Safety, 280. Coppley's Case, temp. Q. Mary, 305. Corbet, Miles (Yarmouth, Nor-

Culpeper.

folk), purport of relation made to House by, 79 *note*. Cotton, Sir Robert, one of the earliest Martyrs of the Stuarts, 40. His sufferings at the Seizure of his Books and MSS. *ibid. note*. Cromwell, Oliver (Cambridge), addresses House on Lord Newport's dismissal, 82. Grounds of his complaint against Lord Briftol, 82, 83. His advice on the officering of the Army, 85. His complaint relative to Captain O'Connell, *ibid. note*. What he said of the Bishops and their Protestation, 95, 96. Reflected on in Dering's Book, 229. Suggests that D'Ewes write an answer to same, 230. D'Ewes's recommendation, *per contra*, 231. Not named on Committee of Safety, 280. Crown Jewels carried across the Channel, and why, 3, 4, 132. Pawned by the Queen, 361. Culpeper, Sir John (Kent), appointed Chancellor of Exchequer, 11. 48. 49. 111. 267. His obligations to and intimacy with Lord Digby, 11 and *note*. Suspicions against him and his coadjutors, 12. 111, 112. Influence on Charles of the course taken by him and his Parliamentary associates, 18. Silent on an important occasion, 121. Has audiences with the King, 126, 140. What he and his friends would have done with the Five Members, 149 *note*. His confidence to Dering, 152. How he and his associates endeavoured to evade responsibility, 153, 154. Holds secret meetings with Hyde and Falkland, 209 *note*. His horror at Sir Peter Wentworth's plain speaking, 242. Named on Committee of Safety, 215. 279, 280. "Displeased and dejected", 292, 293.

Cunningham.

His unanswered question, 375.
See also 279 *note*. 377, 384.
Cunningham, Mr. Letter of Marlton found by, 87, *note*.

DANDIE, Serjeant, sent to apprehend the Five Members, 296.
His reception by "the worst sort of people", 297. See 343.
Dering, Sir Edward (Kent), in trouble "for something he hath spoke in the House", 26 *note*.*
His note on Charles's overture to Pym, 48. His MSS. to be published by Camden Society, 48 *note*. Source of his Information, 152. Act whereby he incurred House's displeasure, 228.
D'Ewes's reasons for voting his expulsion, 228, 229. Sentence passed on him and his Book, 230. Cromwell's suggestion as to answering fame, 230, 231.
On Bucks Petitioners, 353 *note*.
King's flight and Commons' Proceedings, 359, 360. Cavaliers' distresses, 365 *note*. "Rather be Pym than Charles", 372. His friend Bullock, *ibid*.
Derry Plantation, 217 *note*.

D'Ewes, Sir Simonds (Sudbury), Signs of danger, 19. Notes the King's look, 20. His Character of Lunford, 34. His misgivings, 36, 37. Recounts Cotton's sufferings at seizure of his Library, 40 *note*. King's intentions, 79, *note*. House's proceedings on first day of tumults, 81, 82. Character and condition of his Journal in the Harleian Collection, 81 *note*. "Long Silences" in the House, 84. French Papistical Threats, 85. Makes merry over Bishops' fall, 103—105. On subsequent Proceedings of Commons, 105, 106. Much troubled by Pym's proposition, 108. His Remarks in opposition, 109, 110. Com-

D'Ewes.

mons' Proceedings on King's refusal of a Guard, 118, 119. Seizure of impeached Members' Papers, 120. Usages of the House in his day, 129 *note*. 223 *note*. Proceedings on the 4th of January, 160. 161. 164. 169. 173. 174. 175. On number of, and terror excited by, the King's Guards, 181. 183. 184. Charles's Visit to the House, 185, 186. Expressive break in his Narrative, 187, 188. On Charles's Corrections of his Speech, 190, 191. King's aspect as he left the House, 193, 194. Proceedings after King's departure, 195—200. His use of the term "Young Man", 198 and *note*. 279 *note*. His sense of danger, how marked, 201 and *note*. Not a mere party man: his ways of life, 202. 219. Light thrown on Hyde's double dealing, 209. 210. 211. 212. 215. Claim of his Journal to be received as authentic, 218. Sir W. Lytton's compliment to him, 219. His Service to Sir William, *ibid*. *note*. Epithets bestowed by him on Popular Leaders, 220. Mutual tolerance between him and Pym, *ibid*. His Position in the House, 221. Debates wherein he acted as moderator, 221—227. 236. 238. 240. 303—6. Young Lord Strafford, 227 *note*. His Part in discussion on Dering's conduct, 228, 229. His reply to Cromwell's Suggestion that he answer Dering's Book, 230, 231. Further proof of his accuracy: How he makes up his Journal, 231—233. Stands up for Note-taking, 233. His position towards and opinion of Lenthall, 233—235. Rebukes Sir Arthur Haselrig, 236. Avoids Chair of Committee, 239 *note*. How vote of alle-

D'Ewes.

giance to Parliamentary General was carried, 240, 241. His note on Sir Peter Wentworth's "folly", 242. Detects Chadwell's attempt to impose upon the House, 244, 245. His share in efforts to enforce early attendance: how the divers expedients worked, 245—249. Opposes Motion for Call of House, 250. A Stranger in the House, 251. Proceedings on reassembling of House, 5th January, 272. 275—281. Explains cause of Panic in the House, 282, 283. Sole Recorder of Guildhall Sittings of 6th January, 300, 301. City hospitalities, 302. What was first debated, *ibid*. His arguments against Motion to send for warrants, 303—305. 307, 308. Cases in point cited by him, 305. Why applaud him and object to Hyde? 305, 306 *notes*. His Speech commended by the House, 308. Position achieved by his Argument, 310. Issue raised by Serjeant Wilde, 314. 315. Reports House's conclusion and departs, 315, 316. Value of his Journals as Correctives of Clarendon's misstatements, 317. Proofs furnished by him towards that end, 318, 319. Civic Alarms and defensive preparations on 6th January, 321—323. One cause for increase of Alarm: 325, 326. His abstract of evidence as to Outrage of 4th January, 326—329. Speech and Motion then made by him, 329, 330. Again discomfits Serjeant Wilde, 330—332. Avoids Voting on Motion for return of Five Members, 332. On number and object of Bucks Petitioners, 353. 353 *note*. 354. 374. Proceedings of Committee, 354—356. Commons usurpations why necessary, 356 *note*.

Dorwse.

On Pym's traducers, 358 *note*. Lumley's Story, 362 *note*. Earns Lord Holland's approval, 363 *note*. On forlorn aspect of Court, 364 *note*. Soldiers' Pikes, 374. Abrupt close of his narrative, 375. Hopelessness of middle course, 387. See also 88. 206. 289. 290. 291. 292. 293. 312. 313. 370 *note*.
Digby, George, Lord: conveyed out of England, 3. Asserted sole adviser of Charles's Attempt, 10, 11. His Friends and Colleagues: Clarendon's analysis of his Character, 11 *note*. His intimacy with Lunford, 34, 35. Extent of his responsibility for Lunford's appointment, 35 *note*. Consequence of his Speech on Strafford's Attainder, 54. Employment designed for him by the King, *ibid*. Singled out for Royal favour, 60. Hollis's complaint against him, 83. Extent of his complicity in King's obnoxious proceedings, 83. 84. His Impeachment resolved on, 84. How he conducted himself on Kimbolton's Impeachment, 116—118. Further note on the disloyal conduct of the Digbys, 119. Closeted with the King, 129. Not unwilling to push matters to extremities, 205. His offer to take Five Members, dead or alive, 205. 288. 322. Rumours against him and his father, 206. Not the only guilty one among the King's prompters, 208. One probable result of his intimacy with Hyde, 212. Civic alarm possibly due to his murderous project, 322. Charges against his father. See *Bristol, Earl of*.
Dorset, Earl of, on Col. Lunford's antecedents, 34. 34 *note*.
Dowse, Capt. (Correspondent of Admiral Pennington), solicits

Dungarvon.

- a place for the Admiral, 51 *note*.
 Dungarvon, Lord, 38.
 Duninore, Lord, 34 *note*.
 Durham, Bishop of, at the door of the House, 102 *note*. Lodged in "close air," 104, 105.
 EARLE, Sir Walter (Weymouth), Service rendered to Mr. Strode by, 179. 200. His motion relative to Sir Ralph Hopton, 226. Why D'Ewes resisted his motion for "calling in Dering's Book", 229. Named on Committee of Safety, 280.
 Echard, the Historian, Source of anecdote published by, 126.
Eikon Basilike, Charles's Attempt on the Five Members correctly interpreted in the, 2.
 Eliot, Sir John, 39, 40 *note*. 147 *note*. 217 *note*.
 Elizabeth, Queen, 33 *note*. 305.
 Ellis, Mr. William (Bolton) brings Gray's Inn Reply, 176. Made Chairman of Committee, 239 *note*.
 Elſyng, Henry, Clerk of Commons, who copies from Journals of? 232. His explanation to D'Ewes, 233.
 Essex, Robert, Earl of, joins in the Lunsford Protest, 36 *note*. 65. Military appointment conferred on him, 57. Commons demand Guard under his command, 109. Refused, 112. See also 116 *note*. His advice to the Five Members and to Kimbolton, 175. 200. Discovers Hyde closeted with the King, 209 *note*. How Commons acted when he was proclaimed traitor, 240. Refuses to attend King out of London, 361, 362. What Clarendon says of him, 362 *note*. Libel upon him, *ibid*. Honeſter man than Lord Holland, 363 *note*.
 Evelyn, Sir John (Bletchingley),

Fiennes.

84. Proposes Hopton's expulsion, 225. Comes into collision with D'Ewes, 226.
 FALKLAND, Lucius Cary, Lord (Newport, Hants): his asserted ignorance of intended Arrest, 11. 12. His intimacy with Lord Digby, 11 *note*. Suspensions against him and his Colleagues, 12. 111. 112. Influence on Charles of tone adopted by them, 18. Appointed Secretary and Privy Counsellor, 27 *note*. 50. 111 and *notes*. 324, 325 *notes*. Silent on an important occasion, 121. Only Member of Commons Deputation spoken to by the King, 126. Closeted with the King, 140. What he and his Colleagues would have done with the Five Members, 149 *note*. Reports King's Reply to Commons' Message, 160. Attends private Meeting at Hyde's lodgings, 209 *note*. Excuses Hyde's absence, 215 *note*. Copies from the Clerk's Journals nightly, 232. Named on Committee of Safety, 215. 280. As to Clarendon's assertion of his being "displeased and dejected", 292. 293. See also 332. 377 384. 386.
 Fane. See Vane.
 Fettiplace, John (Berks), overawed, 241.
 Fiennes, Nathaniel (Banbury), 38. Believed to be "for root and branch", 47 *note*. Cause of sudden close of his speech, 119. Appointed a manager in Conference with the Lords, 121. Object of another Conference on which he was named, 173. Resolution moved by him, 174. His relation about armed crowds near the House, 177. Communicates Intelligence brought by Langres, 178. 195. 329.

Filmer.

- Qualifying epithet bestowed upon him by D'Ewes, 220. Named on Committee of Safety, 280. Purport of Message to Lords proposed by him, 281. Prominent in Guildhall Committee Debates, 303. 309. 316.
 Filmer, Sir Robert, and his followers, 166.
 Five Members, arrest of the, misrepresented by Clarendon, 1. Interpretation put on the act in the *Eikon Basilike*, 2. Summary of the Seven Articles of Treason against them and Kimbolton, 113. 114. Copy of the MS. Articles in State Paper Office, 114, 115 *notes*. Seizure of their papers by King's Warrant, 120. Their persons demanded by King's Serjeant, 122. Course taken by House on this demand, 123. Ordered to attend House daily, 124. Reason why they withdrew, 145. What Charles's new Ministers thought of their guilt, 149. How Falkland, Culpeper, and Hyde would have disposed of them, *ibid*. *note*. Views of the arrest held by King's party after its failure, 150—152. Members successively defend themselves, 161—168. Impeachment voted a "Scandalous Paper," 172. Lord Essex's Message and advice to them, 175. Proceedings on their re-entrance, 177, 178. Leave given to them to absent themselves, 179. Digby's offer to seize them dead or alive, 205. 288. 322. What William Lilly thought of their arrest and of the King's intentions, 217 *note*. Their place of Refuge in the City, 253. City's answer to demand for them, 267, 268. New Proclamation against them, 269—271. Credibility of assertion that they were in no danger, 289. "Five Members'

Fuller.

- March", 306 *note*. Vane's motion with regard to them, 316. Commons' Declaration against their arrest, 319, 320. Exclamation of a King's Guard on not finding them in the House, 328. Purpose aimed at by way in which King came to demand them, 329. Their attendance at Committee resolved on, 332. How the King met this defiance of his threats, 332, 333. Order for their public appearance renewed, 333. Further Proclamation against them condemned by the Commons, 333, 334. London invaded by their Constituents, 338, 339. No greater breach of privilege than their accusation, 345. How greeted on their return, 348, 369—371. Thanked by the Committee, 349. Hampden the first to break silence, 353. See *Commons. Hampden. Heselrig. Hollis. Pym. Strode*.
 Fleming, Sir Wm. ordered into Custody, 125. Court Guards put under his command, 147. 177. 328. Delivers Message from King to Inns of Court, 176. Charged with Conspiracy, 341, 342.
 Fleury, a Frenchman, nature of warning given by, 86, 329.
 Francis, Mr. King's Serjeant-at-Arms; how received by the Commons, 121, 122, 123. 124. 302. French Interference threatened against English Liberties, 85. Insolence of a French priest, 86. Obligation of the popular Leaders to French Informants, *ibid*.
 Forster's Historical and Biographical Essays: references to, 1. 8. 20. 23. 63. 88. 92. 198. 208. 219. 230. 235. 284. 289. 299. 321. *notes*.
 Fuller, Dr. Subject of Petition against, 249.

Garrett.

- GARRETT, Sheriff Charles's motive in offering to dine with, 262. Entertains the King, 263. 266. Gerbier, Sir Balthazar, 56 *note*. Gerrard, Sir Gilbert (Middlesex), speaks against Lunford, 56. Gibbes, Will and his empty purse, 355 *note*. Glyn, John (Westminster), sent up to impeach Bishops, 101. Watch duty imposed on him, 110. A Manager in conferences with the Lords, 121. 173. Epithet bestowed upon him by D'Ewes, 220. Committees on which he was nominated, 275. 276. 277. 280. 316. His compliment to D'Ewes: 308. 310. Follows D'Ewes: purport of his Speech, 308, 309. Leader in Pym's absence, 309. Reports Lord Herbert's loyalty, 340. His baseness at the restoration, 344. Pepys's glee over his accident, 344, *note*. See 342. Goring, George (Portsmouth), object of Conspiracy with Percy, 246. Goodwin, Arthur (Bucks), appointed a Teller, 279. Moves admission of Bucks Petitioners, 373. Gourney, Sir Richard, Lord Mayor, made a Baronet, 22. Solicited to send Military Aid to King, 156. How his Instructions were carried out, 254 *note*. His extraordinary Powers, 259. Suppresses alarms, 323. Grays Inn, Copy of Royal Letter to Benchers of, 147. 148. *notes*. Their Reply to the Commons Message, 176. See Inns of Court. Grey Anchetil, 126. 137. 138. Grey de Weik, Lord, 36 *note*. Grimston, Harbottle (Colchester) 309. 316. Leads debate on breach of Privilege, 272. Summary of his Speech, 272—275. Named

Hampden.

- on Committee of Safety, 280. Subject of his Speech handled in detail, 302. Grocers Hall Sittings. See Commons. Guildhall. See City. Guildhall Sittings. See Commons. Guizot's *Revolution d'Angleterre*, merits of, and of Mr. Scoble's Translation, 368. 369 *notes*. HACKET, Bishop, Story told of a Hampshire Vicar by, 63 *note*. His account of the Westminster Tumults, 89 *note*. His *Scrinia Referata* worth reprinting as a Curiosity of Literature, 90 *note*. His whimsical vituperation of Milton, *ibid*. Extent of his acquaintance with English Poets, 91 *note*. His lament for the Impeached Bishops, 101 *note*. Hall, Joseph, Bishop of Norwich, Account by, of what led to the Bishops' Protest, 93—95. Hour at which "we were voted to the Tower", 101 *note*. Thankful at not being Black Rod's prisoner, 105 *note*. Hallam, Henry, View taken of Charles's conduct by, not consonant with King's Character, 127 and *note*. Scope of His note on Queen's intended Journey to Spa, 132 *note*. Inadvertent misquotation by him, 170 *note*. His view of Impeachment of Five Members, 216 and *note*. Hamilton, Marquis of, "to be displaced", 30 *note*. Finds Hyde closeted with the King, 209 *note*. See *Montrose*. Hampden, John (Bucks, one of the Five Accused), Clarendon's insinuation regarding, 12. Charles's contemplated charge against him, 12. 14. 15. Clarendon as to result of offer of place to him, 13 *note*. Songs

Harley.

- and libels on him 16, 17. 119 *note*, 335 *note*. State-Offices to which he was designated, 54, 55. 58. His papers seized by King's Warrant, 120. Justifies resistance to an unconstitutional King, 166. His Confession of Faith, 167, 168. "Acrimonious condition of his blood", 168 and *note*. His "Serpentine Subtlety": what he really was, 169—171. Clarendon's estimate of his character, 169, 170 and *note*. Unity of purpose between him and Pym, 171, 172. Their opinion of Clarendon: Hampden's "Snappishness", 172 *note*. Epithet bestowed upon him by D'Ewes, 220. Petitioners for him, 339. First of the Five to break silence after Arrest, 353. Determined spirit, 354. King's hope concerning him, 380. See *Buckinghamshire*. *Five Members*. See also 47 *note*. 177. 178. 182 *note*. 198. 213. 225 *note*. 245. 267. 270. 271 *note*. 281. 295. 311 *note*. 320. 348. 357. 371. 373. Harley, Sir Robert (Herefordshire), reports as to Captain Hide, 354, 355. 355 *note*. Haselrig, Sir Arthur (Leicestershire, one of the Five Accused), reports insolence of a French priest, 86. His account as to Lady Carlisle and the Queen, 140. 141. Clarendon's contemptuous allusion to him, 149 *note*. Defends himself against Impeachment, 165. His age at the period, 198 *note*. Allusions to him in Royalist Songs, 199 *note*. Epithet bestowed upon him by D'Ewes, 220. Rebuked by D'Ewes for taking the Speaker to task, 236. See *Five Members*. See also 177, 178, 179. 182 *note*. 198. 269. 271 *note*. 311 *note*. 320. 348. 371.

Herbert.

- Hay, Lord, Lady Carlisle's husband, 136 *note*. Heath, Chronicler, on movements of the Five Members, 178 *note*. Henrietta Maria, Queen of Charles I., by whom conveyed across Channel, 3. Windebank's Secret Understanding with her, 49 *note*. 50 *note*. William Lilly on Secret Counsels of herself and Party, 65 *note*. Use made of their knowledge of Court Secrets by French people about her, 86. 88. 130. 131. 138. 139. King's unconstitutional acts, how far due to her influence and intermeddling, 129—131. Her designs truly suspected by the Commons, 131, 132. Five Members' impeachment traceable to her own fear of accusation, 132, 133. Lady Carlisle's possible motives for betraying her Secrets. (See *Carlisle*). Words wherewith she is said to have incited the King, 138. 140. Misleads herself and betrays her Secret, 139. Source of her self-reproach on the King's failure, 146. Accompanies King in his flight, 359. 361. 366. 368. Course resolved on by her, 360. Carries off and pawns Crown Jewels, 361. Lying with her Children, 365 *note*. Reproaches King for abandoning first resolve against Five Members, 368. Herbert, Sir Edward (Old Sarum), Attorney-General, delivers Impeachment of Five Members to the Lords, 112. Disclaims having advised such Impeachment, 113. 128. 113. 128. 312. What credit Strode gave to his denial, 128 *note*. 313. See 348. 371. 379. Herbert, Sir Henry (Bewdley), speaks in mitigation of Hopton's Offence, 225. Herbert, Lord, a Catholic Peer,

Hertford.

- why complimented by Commons, 340.
- Hertford, William Seymour, Marquis of, gives note of alarm to the Bishops, 93. Inference deducible therefrom, 95.
- Heylyn, Dr. Peter, characteristic extracts from *Laud's Life* by, 102, 103 and *note*.
- Hide, Captain David, with his sword upright, 185. His character and career, *ibid. note*. Lord Lieutenant willing to dislike him, 354, 355, 355 *note*.
- Hill, Roger (Bridport), brings up Inner Temple Reply, 176.
- Hippisley, Sir J. (Cockermouth), named on Committee of Safety, 280.
- History, how it may be written, 289—294.
- Hobbes, Thomas, on sharers in King's responsibility, 140, 141. On King's refusal to disclose his Advisers' names, 141 *note*.
- Holborne's R. (St. Michael's), Argument for giving weight to a minority, 20. Another argument of his, 299 *note*.
- Holland, Sir John (Castle Rising), in conflict with Speaker Lenthall, 237, 238. Finds desolate Court at Windsor, 364 *note*.
- Holland, Lord, 36 *note*. 75. 209 *note*. In disgrace with the King, 29 *note*. How "the speech goes" with regard to him and others, 30 *note*. Offers up his place, 361. Refuses to attend King, 362 *note*. Libel upon him, *ibid.* Contrast between him and Essex, 363 *note*.
- Hollis, Denzil (Dorchester, one of the Five Accused), Clarendon's Speculations on possible result of offer of place to, 13 *note*. Office proposed to be conferred on him, 54. 55, 58. Denounces Lord Digby, 83. Delivers to Charles the Commons' Demand

Howard.

- for a Guard, 109. His Papers seized by King's Warrant, 119, 120. 302. Defends himself against the Impeachment, 165. Inquired for by the King, 191. His age at this period, 198 *note*. Allusions to him in Royalist Songs, 199 *note*. How D'Ewes characterized him, 220. His motion in favor of young Lord Strafford, 227 *note*. His motion for Call of House, 250. Answers Chomley's Question, 375. See *Five Members*. See also 47 *note*. 177. 178. 179. 182 *note*. 198. 225 *note*. 232. 269. 271 *note*. 279 *note*. 311 *note*. 348. 317. 379.
- Hopton, Sir Ralph (Wells), 136 *note*. 215. Incurs censure of the House, 223, 224. Clarendon's version of his Charge against the House, 224 *note*. His expulsion moved, 225. D'Ewes speaks in mitigation, 226. Determination come to, 226, 227. His reason for opposing Dering's expulsion, 228. Attempts an Excuse for the King's conduct, 275. 277. 278. Nominated on Committee of Safety, 280. Epithet given to him by Rushworth, 293. Duty assigned him in anticipation of second Visit from King, 338.
- Hotham, John (Scarborough), behaves disrespectfully to the House, 249.
- Hotham, Sir John (Beverley), deputed to carry message to King, 123, 126. Named a manager of conference with the Lords, 173. His remark on King's Speech in House, 195. Named on Committee of Safety, 280. Charged with Conspiracy, 341, 342.
- Houses of Commons and Lords. See *Commons*. *Lords*. *Parliament*.
- Howard de Esricke, Lord, 36 *note*.

Howell.

- Howell's Letters, best account of the Spanish Match contained in, 82 *note*.
- Hume, David, misled by Clarendon, 289.
- Hundsdon, Lord, 37 *note*.
- Hungerford, Sir Edward (Chippenham), named on Committee of Safety, 280.
- Hutchinson, Mrs. on number of King's Guard, 181.
- Hyde, Edward (Saltash). See *Clarendon, Edward, Earl of*.
- IMPEACHMENT of the Bishops. See *Bishops*.
- Impeachment of the Five Members. See *Five Members*.
- Inns of Court, Armed Assistance sought from the, 147. King's Letter in 1628 for Volunteer Guard, 147. 148 *notes*. Proceedings in House before the arrest, 160. Message resolved on, 161. Anecdote related by Ludlow, 161 *note*. Answer of each Inn to Commons' Message, 176, 177.
- Irish Affairs, references to and motions on, 276. 281. 282. 290 *note*. 299. 300. 354. 355.
- JAMES THE FIRST's welcome to the "twal Kynges", 40.
- Jenkin, Lieutenant, what Captain Langres heard from, 328.
- Jeffon, Alderman W. (Coventry), called to account for his fierce looks, 239, 240. Incurs Mr. Speaker's anger, 241.
- Jesuit Priests relieved from execution, 31. Commotion excited thereby, 32 and *note*. Prison for offenders of this class, 88.
- Jonson, Ben; Bishop Hacket's estimation of, 91 *note*.
- KILLEGREW, Harry (West Looe), novel doctrine propounded by,

Larking.

- 243, 244. Anecdote of him related by Clarendon, 243 *note*. Trouble into which his inconsiderateness brought him, 244. Trick attempted by his friend Chadwell, 244, 245. His obligations to D'Ewes, 245. Extent of his punishment, *ibid. note*.
- Killigrew, Sir William, ordered into custody by Commons, 125. Master Longe's diamond hatband and ring, *ibid. note*. Sent round to Inns of Court by the King, 147. 148. 176. Charged with Conspiracy, 341, 342.
- Kimbolton, Lord (See also Mandeville, Lord), 36 *note*. Why charged with Treason, 14, 15. Clarendon's objection to his being included, 15 *note*. 149 *note*. His doings watched: His consultations with Pym and others, 15, 16, 37. Warning sent to him by Marston the Dramatist, 87. 117. Copy of Marston's Letter, *ibid. note*. Source of Marston's information, 88. Articles of treason against him and the Five Members, 113, 114. How he met the charge, 116. Embarrassment and flight of his expected accuser, 116—118. Lady Carlisle's intercourse with him, 133. Lord Essex's warning to him, 200. Omitted from King's Proclamation, 269. See also pp. 205. 269.
- Kirton, Mr. (Milborne Port), 279.
- LANGRES, Captain, source of warnings received by, 86. Nature and scope of his evidence, 147. His communication to Fiennes, 178 and *note*. 197. 200. Fuller report of his Evidence, 328. 329.
- Larking, Rev. Lambert; Surrenden Papers to be edited for

Latche.

- the Camden Society by, 48, 49 *notes*.
 Latche, John, recounts his failure to enforce obedience to the King's Warrant, 159.
 Laud, William, Archbishop of Canterbury, tyranny of, broken down by Pym, 41. His rule, not the Church itself, obnoxious to Pym, 47. He and his old rival in prison together, 102. Makes merry over a caricature of his rival, 103. Civilities between him and his fellow-prisoners, 103 *note*.
 Leicester, Earl of, 37 *note*. 54. 281.
 Leighton, Dr. relieved by Members' Fines, 249.
 Lenthall, William (Woodstock), Speaker of the House of Commons, 22. His apprehensions of the results of his continuing Speaker, 23. Clarendon's portraiture of him, *ibid. note*. His obsequious Letter to Secretary Nicholas, 24, 25. His second thoughts on same subject, 28. His second Letter to Nicholas, *ibid. note* †. His memorable reply to Charles's demand for the Five Members, 191, 192. Amenities between him and D'Ewes, 229. 231. Impressions of his character as indicated in D'Ewes's Journal, 232. His conduct at the Restoration contrasted with Northumberland's, 234 and *note*. Always a time-server, 235. His conflicts with Members of the House, 236. 238. 241. Violates precedent by voting in a division, 237. Instances in which D'Ewes sets him right, 238. 239. 247. His deficiencies as Speaker, *ibid.* Rebuked for coming late to the House, 248. Effect of his example on another Member, 248, 249. See also 178. 219. 252.

Lords.

- Lewis, Lady Theresa; her "Clarendon Gallery", 55 *note*.
 Lichfield, Bishop of, at door of House, 102 *note*.
 Lilly, William, on outbreak of Westminster tumults, 64 *note*. Puritans and Courtiers, 64, 65 *notes*. On the tumults, and on King and Queen's doings, 65 *note*. On Charles's manner of Speech, 192 *note*. On arrest of Members, King's conduct, &c. 217 *note*. Aspect of London on Sunday, 9th Jan. (1641-2), 338.
 Lincoln, Earl of, 37 *note*.
 Lincoln's Inn Reply to Common's Message, 176. See *Inns of Court*.
 Lindsay, Robert Earl of, chosen Commander of Guard to Parliament, 116 *note*.
 Lisle, Lord (Yarmouth, Hants), moves resolution on Irish affairs, 281.
 Littleton, Sir Edward (Staffordshire), Lord Keeper, receives Bishops' Protestation from the King, 95. His share in impeachment of Five Members, 112, 113. Attorney-General Herbert's request to him, 312.
 Liturgy, City Petition against enforcement of, 32 *note*.
 London, City of, mulcted of its Plantation of Derry, 217 *note*. See *City*.
 Long, Mr. Walter (Ludgerhall), named on Committee of Safety, 280.
 Lords, House of, refuse to join in Petition for Lunsford's removal, 36 *note*, 65 and *note* *. Protecting Peers in this and D. of Richmond's case, 36 *note*. 37 *note*. Their prompt action on impeachment of Bishops, 100. Vote come to by them, 100, 101. Bishop Hackett on their "anti-episcopal journey", 101 *note*. Aspect of House after

Ludlow.

- Bishops' Committal, 104. Impeachment of Five Members delivered to House, 112. Join with Commons in demand for Guard, 115. Copy of King's reply, 116 *note*.
 Ludlow, Edmund, anecdote related by, 161 *note*. On number and equipment of Charles's Guards when he entered the House, 180. Anecdote of Lord Northumberland, 235 *note*.
 Ludlow, Sir Henry (Wiltshire), moves Vote against Killegrew and Fleming, 341. Result of Discussion thereon, 342.
 Lumley, Walter, scurrilities heard by, 362 *note*.
 Lunsford Sir Thomas, appointed Governor of the Tower, 34. His character and antecedents, 34, 35. Object in appointing him, 35, 36. Clarendon's version of his appointment, 35 *note*. Commons solicit his removal, 37. Day on which his Warrant was signed, 61. His appointment cancelled, 62. Lords decline to petition for his dismissal, 36. 65. and *note*. Sidney Bere's report thereon, 69. Superseded, knighted, and pensioned, 70 and *note*. Effect of his dismissal on the people, 71. Captain Slingsby on same subject, 77. Led assault in Westminster Hall, 82. 185 *note*. Willing to help in any desperate affair, 205. 322. Stapelton's sarcastic allusion to him, 322 *note*. Excites fears in the City, 366, 367. His name and Digby's coupled, 367 *note*.
 Lytton, Sir William (Herts), compliments Sir Simonds D'Ewes, 19. D'Ewes's services to him, *ibid. note*. His Suggestion to House, 276. Nominated on Committee of Safety, 280.

Milton.

- MACAULAY, Lord, authority cited in Essays of, 312.
 Majorities and Minorities, their respective rights, &c. 9. 18. 20.
 Manchester, Earl of, 16. 34 *note*. 94.
 Mandeville, Lord, puts in his claim for office, 54. Withdraws in favour of Hollis, 55. Impeached with Five Members, 182 *note*, 311 *note*. See *Kimbolton*.
 MANUSCRIPT Authorities cited or referred to: See *Bere*, *Cartwright*, *Dering*, *D'Ewes*, *Dowse*, *Latche*, *Marston*, *Nicholas*, *Porter*, *Slingsby*, *Smith (Thos.)*, *Windebank*, *Wifeman (Thomas)*.
 Markham, John (Chief Justice temp. Edw. IV.) on King's right of arrest, 312.
 Mariton, John, warns Lord Kimbolton, 87. 117. Copy of his Letter, *ibid. note*. His sources of information, 88.
 Marten, Harry (Berkshire), carries House's Message to Lord Newport, 37. How D'Ewes characterized him, 220.
 Mary, Queen, 305.
 Mafham, Sir W. (Essex), opposes Lunsford's appointment, 36.
 Maxwell, James, Usher of Black Rod and his Episcopal prisoners, 105 and *note*. Sent by the King for Rushworth, 251.
 May, Thomas, on King's Visit to City, 130, 131 *notes*. On King's right to withhold names of his advisers, 141 *note*. On number and equipment of King's Guards on entering House, 180, 181. Mistakes made by him, 198 *note*.
 Maynard, John (Totnes), active in debate, 309. Able Speech by, 344-347. His baseness at the Restoration, 344.
 Merchants of London in Charles's time, 253, 254.
 Milton, John, vituperated by Bishop Hackett, 90, 91 *notes*.
 E E 2

Mildmay.

- Mildmay, Sir Henry (Malden), complains of Mr. Jeffon's fierce look, 239, 240. Rebukes Speaker Lenthal, 248.
- Montreuil, French Ambassador, warns popular Leaders, 86, 131, 328.
- Montrose, James Graham, Lord, made a Marquis, 17. His offer to kill Argyle and Hamilton, 284, 285, 286 *notes*.
- Moore, Mr. and the Clerk's Journals, 232.
- Morton, Father, has a great mind to accuse Secretary Windebank, 224, 225 *notes*.
- Motteville, Madame de, a suspected Betrayer of Court Secrets, 86. Incidents stated in her Memoirs, 130, 138, 139, 146.
- Murray, William, suspected of betraying Court Secrets, 15 *note*. Closeted with the King and Queen, 139. Queen's designation of him, *ibid. note*.
- Murrayes, the, 27 *note*.
- NALSON, JOHN, on the cause of the Westminster tumults, 65 *note*.*
- Nelson, Rev. Mr. sneers at Pym's Scholarship, 358 *note*.
- Napier, Mr. on Montrose's murderous offer, 284, 285, 286 *notes*.
- Newburgh, Lord, 34, *note*. To be Master of the Wards, 58.
- Newgate, attacked by the Citizens, 32 and *note*.
- Newport, Lord, 36 *note*, 37 *note*. Requested to take Command of Tower, 37. Dismissed by the King, *ibid.* Nature of Charge against him: Charles's demeanour towards him, 37—39. His dismissal debated in the Commons, 82.
- Nicholas, Sir Edward, Secretary of State; appoints Sidney Bere Under-Secretary, 5. Communicates Lord Kimbolton's doings to the King, 15, 16. Vengeful

O'Connel.

- purport of the King's letters, 17, 18. Speaker Lenthal's obsequiousness, 24, 25, 28 *note*†.
- Sidney Bere's testimony to his worth, 26, 27 *note*†. "Sworne Secretary of State and knighted", 28 *note*.
49. Communicates Court Gossip to Admiral Pennington, 54, 55. King's letters to him from Scotland, 57. Further news on Official changes, *ibid.* Why he objects to Ecclesiastical Reform, 58. His list of Popular Leaders designated for office, *ibid.* Premature in his anticipations of Dismissal, 59. Issues new Proclamation against *Five Members*, 269. His Instructions, 269, 270. His precaution in taking King's Orders, 271, 271 *note*. His connexion with Order relative to Trained Bands, 324 *note*. Grievances of self and wife, 362, 363. See also 49 *note*, 140, 155, 257 *note*.
- North, Lord, 36 *note*, 37 *note*.
- Northcote, Sir John (Ashburton), bold avowal by, 242, 243. Occasion on which fame was made, 243 *note*.
- Northumberland, Algernon Percy, Earl of, Lord Admiral: Intended successor to, 4. Joins in Protest relative to Lunford's appointment, 36 *note*, 65. Dowse's Visits to him on Pennington's behalf, 51 *note*. Leads the Lords in the Bishops' case, 100. His change to the popular side, 135. His conduct contrasted with Lenthal's, 234, 235 *notes*. Reports on the King, 382. See also 37 *note*, 76 *note*, 100, 297.
- Note-taking, D'Ewes's comment on proposal for preventing, 233.
- O'CONNEL, Captain Owen, Cromwell's complaint relative to, 85 *note*.

Ogle.

- Ogle, Captain, deposes to hostile intention of King's Guard, 327.
- Oudart, Mr. 204 *note*.
- Owen, Captain, 76 *note*.

PAGET, Lord, 37 *note*.

- Palmer's, Geoffrey (Stamford), Protest against the Remonstrance, and its Result, 7, 8. Effect on Charles of course taken by him and his associates, 18.

- Palmes, Sir Guy (Rutland), on proposal to alter a message, 232. Awed into a Vote, 241.

- Paris, fierce frost in Paris (1641-2), 67 *note*.

- Parliament, First great Divisions in, 7. Result of first Party Struggle, 10. The People's only hope, 65 *note*. Foreign aid against it solicited for Charles I. 224. Exposition of its powers, 273. See *Commons. Lords*.

- Parry's Treason, temp. Q. Eliz. 305.

- Party. See *Parliament*.

- Peard, George (Barnstable), nature of errand confided to, 174. Reproves members for interrupting D'Ewes, 222.

- Pemberton, Substance of Examination of, 79 *note*.

- Pembroke, Earl of, joins in the Lunford Protest, 36 *note*, 65. How he bore his loss of Office, 57.

- Penningman. See *Pennyman*.

- Pennington, Admiral Sir John. Value, for purposes of this Narrative, of Letters addressed to, 3. Services rendered by him to the King and his party, 3, 4. Clarendon's character of him, 3 *note*. Fate of his appointment as Lord Admiral, 4. Declines to act on Bere's hint, 30 *note*. Further on same topic, from Captain Dowse, 51 *note*. Makes Secretary Nicholas's Wife a

Priests.

- "Proude Woman", 57. Secret service undertaken by him, 361. His Correspondents: See *Bere. Carterett. Dowse. Nicholas. Slingby. Smith (Thomas). Wife-man (Thomas)*.
- Pennington, Alderman Isaac (London), charged with important duty by the Commons, 124—155, 157, 174. Prominent in debate under Glyn, 309. Suspects tamperings with Town Guards, 340, 341.
- Pennyman, Sir William (Richmond), designated Successor to Vane the younger, 30 *note*, 51 *note*, 52.
- Pepys's glee over Glyn's accident, 344 *note*. His tribute to Slingby's memory, 365 *note*.
- Percy, Henry (Northumberland), object of Conspiracy of, with Goring, 246.
- Pierrepont, Francis (Nottingham), endeavours to exculpate Attorney-General Herbert, 128 *note*, 312, 313.
- Pierrepont, William (Great Wenlock), named on Committee of Safety, 280.
- Pope, Foreign aid solicited by the, for Charles I. 224.
- Porter, Endymion (Droitwich), why absent from Parliamentary duties, 364 *note*. His characteristic Letter to his wife, 364, 365 *notes*.
- Poulton, Ferdinando, repeats a Scurrilous Couplet, 358 *note*.
- Prentices of London attacked by the Soldiers, 68. Exasperation of the people thereat, 69.
- Price, Charles (Radnorshire), duty assigned to by Commons in expectation of Second Visit from the King, 338.
- Price, Herbert (Brecon), Teller in Divisions, 279 and *note*. Named on Committee of Safety, 215, 280.
- Priests condemned, commotion

Prince Elector.

caused by Reprieve of, 31. 32. and *note*.

Prince Elector. See *Charles, Elector Palatine*.

Privilege not claimed by Commons to bar a just Charge, 320. See *Commons*.

Pye, Sir Robert (Woodstock), duty imposed upon, 110. Wishes for some way of accommodation with the King, 201 *note*.

Pye, Sir Walter: Subject of his discourse with the Pope's nephew, 225 *note*.

Pym, John (Tavistock: one of the Five Accused), result of Court Offers of Place to, 9. Clarendon's insinuations respecting him, 12. Offence intended to be charged on him by Charles, 12, 14, 15. Clarendon's regret at his non-acceptance of office, 13 *note*. 42. Object of Consultations at his Chelsea Lodgings, 16. His practical reply to parallel between him and Strafford, 19. Suggests existence of Conspiracy to get up charges of treason, *ibid*. Causes of his great popularity; his earlier services and endurances, 39, 40. His rise to the Leadership, and qualifications for same, 41. Clarendon's tribute to his popularity, *ibid*. Why Charles's efforts to win him over failed, 42 *note*. Specimens of Royalist Lampoons on him, 43—46 *notes*. 199 *note*. His secret influence over the King, 45—46. Use made of his Speeches by the King after his death, 46. His last Resting-place, *ibid*, *note*. Renewed offers of Place made to him, 47. Points wherein he was less extreme than Hampden, *ibid*. Clarendon's testimony on this head, *ibid*, *note*. Why Charles's Offers came too late: Sir Edward Dering's

Pym.

Minute on the subject, 48. 152. Proximate date of the King's Offer to him, 49. His reception of old Vane on the latter's dismissal, 52. Former offers of place to him and his party further discussed, 53—58. Charles's possible motive in his later offer of Place to Pym alone, 59, 60. Had timely Information of King's Intent against him, 88. Passage on this topic from one of his Speeches, *ibid*, *note*. Members alarmed by a suggestion of his, 106. Character and object of his Speech, 107. His sources of information, 108. His Plan: how received by the House, 108, 109. On King's refusal of Guard: fragments of his Speech, 118, 119. Seizure of his Papers by King's Warrant, 119, 120. 302. His connection with Lady Carlisle, 133. Scandal and Libels to which this Connection gave rise, 135, 136 *notes*. Queen's Question about "that roundheaded man", 136, 137 *notes*. Defends himself against the Impeachment, 161—165. Away to the City by Water, 179. Looked for in the House by Charles, 186. 189 *note*. 190. 191. His rejoinder to King's Complaint against him, 210. Communicates to the House anonymous warning of Treachery received by him, 210, 211. Tolerant feeling between him and D'Ewes, 220. Objection taken to Answer to Royal Message drawn by him, 221. His "discretion and modesty" commended by D'Ewes, 222. His heaviest charge against the King proved, 299, 300. Thousands of Petitioners for him, 338. 357. Justificatory paragraphs from Petition, 357 *note*. Sample of attacks upon

Reformadoes.

him, 358 *note*. Thanks City for protection, 371. Dering's characteristic expression, 372. Avowal made in his "Vindication", 379, 380. See also 13 *note*. 37. 177. 178. 182 *note*. 198. 213. 225 *note*. 233. 245. 246. 267. 269. 271 *note*. 272. 295. 311 *note*. 320. 328. 348.

REFORMADOES, what they were, 180 *note*.

Remonstrance, Debates on the, 4, 5, 6, 7. Palmer's Protest, 8. Tactics of the Minority, 9, 10. Its publication, 60. Its object, 377. Referred to, 113, 154, 163, 253, 274.

Richardson, junior, and John Walker find anonymous letter addressed to Pym, 210.

Richmond, James Stuart, Duke of, appointed Lord Steward, 30 *note*. His sally: Protest of Peers on the occasion, 36 *note*. 279 *note*. Windebank's liking for him, 50 *note*.*

Rigby, Alexander (Wigan), purport of Motion made in Commons House by, 160, 161.

Robartes, Lord, 36 *note*.

Rochester, Earl of. See *Clarendon, Henry, Earl of*.

Rolle, Sir Samuel (Devon), named on Committee of Safety, 280.

Rome, letter on English politics at, 224, 225 *notes*.

Romilly, Sir John, Master of the Rolls: Services rendered to English History by, 3 *note*.

Roundheads and Cavaliers, first use of the epithets, 62, 63. Hampshire Vicar's antipathy, how expressed, 63 *note*. William Lilly on this topic, 64 *note*. Clarendon on origin of the two epithets, 74. Baxter's anecdote of the "roundheaded man", 136—7 *notes*. Rushworth

Sandford.

on the "first minuting" of "Roundheads", 185 *note*.

Rous, F. (Truro), moves presentation of Members' Fines to Dr. Leighton, 249.

Rowley's Evidence as to threats of French interference, 85.

Roxborough, Earl of, keeps the Commons' door open, 185.

Rudyard, Sir 'B. (Wilton), named on Committee of Safety, 280.

Rupert, Prince, 136 *note*. 185.

Rushworth, John, as to Guard accompanying King to House, 180. On the term Roundhead, 185 *note*. Takes down Charles's Speech, 187, 188. Charles's corrections and erasures therein *verbatim*, 188, 189. Sent for by the King, 251. King's rejoinder to his excuses, 252. What took place after he quitted the King, 253. His account of Charles's reception in Guildhall, 258, 259 *notes*. His statement of House's Proceedings on 5th January, 290 *note*. Extent of his notes of Guildhall Sitting on 6th January, 300. On number of Bucks Petitioners, 353 *note*. 347 *note*. 351 *note*. See also 289. 290. 292. 293.

Russell, Lord John, quoted, 40 *note*†.

Russell, Sir William, Joint Treasurer of the Navy, 51. Made Sole Treasurer, 52.

SAILOR VOLUNTEERS, Services of accepted by Commons, 347 and *note*. 348. Epithets bestowed on them by the King, 348. 359. Saint John, Lord, 36 *note*. Saint John, Oliver (Totnefs); Clarendon's Speculations on possible result of offer of place to, 13 *note*. Not on Committee of Safety, 280.

Sandford, Mr. J. L. argument of,

Savile.

as to Storde's identity canvassed, 198 *note*.
 Savile, Thomas, Lord, appointed Treasurer of Household, 30 *note*. 50.
 Saye and Sealé, William, Lord (Old Subtlety), 36 *note*. 37 *note*. 38. Office proposed to be given to him, 55. 58.
 Scot the Regicide and Speaker Lenthal, 234.
 Scottish Covenant and City of London, 256.
 Selden, John (Oxford University), 40 *note*. 147 *note*.
 Shakespeare, William, unnoticed and unknown, 91 *note*.
 Shawberie, Thomas, asperges Pym, 358 *note*.
 Shepherd, one Mr. in the wrong place, 251.
 Simmons, S. Publisher of Paradise Lost, 91 *note*.
 Skippon, Major, and his Trained Bands, 256. Invested with Command of Tower, 335. His character and subsequent eminence, *ibid.* Anecdote told by Whitelock, 334. 335 *notes*. Office created for him: its necessity, 336. Made Sergeant-Major-General of City forces, 351. Duties assigned to him, 351, 352.
 Slingby, Captain Robert (Correspondent of Admiral Pennington), presumed design of, in coming to London, 4. Letter on the Remonstrance Debate, 4, 7. Anticipates great things from King's Visit, 21, 22. Change wrought in his views, 25, 26. News of the King, the Houses, and the Citizens, 26 *note*. On altered aspect of affairs, 27. 28. On Commotion excited by relieve of condemned Priests, 32 *note*. Animus of "some of the Parliament" towards himself, 76 *note*. His account of

Songs.

the Westminster tumults, 77. On charge against Earl of Bristol, 78. Issue predicted if the King yield not, 80. His account confirmed by D'Ewes, 81. His apprehensions as to the Bishops' Protestation, 97, 98. "Extream tempestuous weather", 99 *note*. On number and equipment of King's Guard, 181—183. Describes Impeachment of Five Members, 182 *note*. How the King came into the House, 184. What the King did and said, 194 *note*. Charles' reception at Guildhall and how he fared by the way, 260—263. Curious incident related by him, 268 *note*. Further on position of Affairs between King and Parliament, 298, 299. His words a confirmation of Pym's Charge, 300. On Return of Five Members and King's flight, 366, 367. Close of his letter, 367 *note*. His after career: Pepys' tribute to his memory, 365, 366 *notes*.
 Smith, Mr. Philip (Marlborough), brings up Middle Temple Reply, 177.
 Smith, Thomas (Correspondent of Admiral Pennington): On differences between King and Commons, 61, 62. Attack of Soldiers on 'Prentices, 68, 69. On "the last plott of the Bishoppes", 99. Compares Archbishop Williams to Achitophel, 100. Troubles consequent on the King's Attempt, 206—208. How matters stand between King and City, 297, 298. His View of King's Stretch of power, 311, 312 *notes*.
 Soame, Alderman Sir Thomas (London) joined with Venn and Pennington in deputation to City, 174.
 Songs and Libels on the Popular Leaders, and their friends, no-

Southampton.

ticed, 17. 43—46. 199. 256 *note*. 306 *note*. 355 *note*. 362 *note*.
 Southampton, Earl of, made Privy Councillor, 267.
 Southwark Trained Bands, 349. 359. 369.
 Spencer, Lord, 36 *note*.
 Spenser, Edmund, Bishop Hacker's esteem for, 91 *note*.
 Stamford, Earl of, 36 *note*.
 Stapleton, Sir Philip (Boroughbridge), appointed a manager in Conference with the Lords, 121. Nominated on Committee of Safety, 280. Moves resolution on Irish Affairs, 281. His sarcastic allusion to Lunfford, 322 *note*. See also 126. 309. 316.
 Strafford, Thomas Wentworth, Earl of, 2. 4. 13. 19. 39. 41. 51. 51 *note*. 52. 54. 55. 76 *note*. 77. 134. 135 *note*. 136 *note*. 137. 162. 251. 256. 355 *note*. 357.
 Strafford, young Earl of, Generosity of House of Commons to, 227 *note*.
 Storde, William (Beeralston, one of the Five Accused), incredulous as to Herbert and Littleton's assertion, 128 and *note*. 313. Clarendon's uncivil allusion to him, 149 *note*. His declaration as to real object of Impeachment. 165. Dragged out of the House by his friend, 179. 198—200. On his identity with the Storde of James's Parliament, 198 *note*. Contempt of the Royalists for him, 199 *note*. Epithets bestowed upon him by D'Ewes, 220. Gets the worst in an altercation with D'Ewes, 222, 223. See also 177. 178. 182 *note*. 198. 270. 271 *note*. 311 *note*. 320. 348. 371. See *Five Members*.
 Suffolk, Earl of, 36 *note*.
 Sunday in London, 9th Jan. (1641—2), described 338, 339.

Vane.

Swift's reminder, to a high-flying secretary, 382 *note*.
 TORY and Whig, 62.
 Tower; name bestowed by Courtiers on the, 33. Qualifications required in its Governor, *ibid.* Steps taken by Commons for its security, 334. Clarendon's admission, 334 *note*. Skippon invested with its command, 325. Pym's later reference to this subject, 325 *note*. Suspicions communicated by Alderman Pennington, 340, 341. Its Lieutenants and Governing Officers. See *Balfour*. *Biron*. *Coniers*. *Lunfford*. *Newport*. *Skippon*.
 Temple, Inner and Middle, Replies of, to Commons' Message, 176, 177. See *Inns of Court*.
 Trained Bands of London, 254. 323. 336. See *City*. *Southwark*.
 VALENTINE. Mr. 27 *note*.
 Vane, Sir Henry the elder (Wilton), superseded, 27 *note*, 30 *note*. 50. His Treasurership of the Household given to Lord Savile. Windebank's fellow feeling towards him, 50 *note**. Welcomed back by Pym, 52. Takes up extreme position in debate, 242, 243.
 Vane, Sir Henry, the younger (Hull), dismissed from Office, 30 *note*. 51. Believed to be for "root and branch", 47 *note*. Candidates for his post, 51 *note*. His position in the Opinion of the Commons, 52. Their displeasure at his dismissal, 53. Conference and committee on which he was named, 173. 316. Exception to Harry Killegrew's Speech, 244. His addition to Guildhall Resolution, 315, 316.

Vaughan.

319. Bafenefs of his former friends, 344. See 173. 316.
 Vaughan, Mr. John (Cardigan Town), Supported by D'Ewes, 221.
 Venn, Captain John (London), duty imposed by Commons on, 124. 155. 157. 174.
 Verney, Sir Ralph (Aylesbury): Notes of proceedings of Long Parliament (Camden Society Book) by, quoted or referred to, 20 *note* *. 37 *note*. 84. 180. 183. 184. 185. 193. 289. 290. 292. 343. 347. 347 *note*. His Statement of what took place 5th January, 290 *note*. His notes of Guildhall Sitting on the 6th Jan, 300. His mistakes, 351 *note*.
 WALKER, John. See *Richardson, Simon*.
 Waller's parallel between Pym and Strafford, 19.
 Walsingham, Sir Thomas, Kt. (Rochester) named on Committee of Safety, 280.
 War. See *Civil War*.
 Warburton, Bishop, on Lunford's appointment, 36.
 Warrants, Royal, Debates and Resolutions on, 303—308. 313—315. 330—332. 343. See *Charles. Commons*.
 Warwick, Earl of, 36 *note*. Scurrilous Couplet on, 358 *note*.
 Warwick, Sir Philip (Radnor Town); Scandal against Lady Carlisle, 135, 136 and *notes*. His opinion as to Hampden's death, 168 *note*. Suggests that Commons are guilty of Treason, 350. Anecdote told by him, 382 *note*.
 "Water Rats", 348. 359.
 Wentworth, Sir Peter (Tamworth), 241. Horror of Culpeper at his "folly", 242.
 Westminster Tumults; William

Williams.

- Lilly on, 64 *note*. Their real cause, 65 and *note* *. Prologue to the Civil war, 66. Object aimed at, 66, 67. Soldiers' attack on Prentices, 68, 69. Cause of King's acceptance of Volunteer Guard, 76. Slingsby's Version of these Tumults, 77, 78. Action taken by Commons to prevent their recurrence, 85. Course adopted by Bishops, 89, 90.
 Wharton, Lord (Beverley), 36 *note*. 38.
 Wheeler, Mr. (Westbury), Watch duty imposed upon, 110. Named on Committee of Safety, 280.
 Whig and Tory, 62.
 Whitelock, Bulstrode (Marlow), on Queen's influence in King's Councils, 129, 130. His View of Lady Carlisle's Warning, 145 *note*. Named on Committee of Safety, 280. His questionable assertion, 383. See 354, 354 *note*. 382.
 Wich, Sir Peter, breaks open the Arms Chest, 217 *note*.
 Wilde, Serjeant (Worcestershire), sits as Chairman of Committee, 309, 310. Wrong issue suggested by him, 314. Set right by D'Ewes, 314, 315. See 330.
 Williams, John, Archbishop of York, roughly handled by the Prentices, 71 and *note* *. Slingsby's account of his treatment, 77. His part in the affray next day, 78. A fighting Archbishop, 79. Brampton's, Hyde's, and Hacket's Accounts compared, 89 *note*. Real Author of Bishops' Protestation, 91, 92. Proceedings had on the matter at his Lodgings, 94. Bishops surprised by him into concurrence, 95. Dubbed Achitophel, 100. How his Intrigue was baffled, *ibid*. He and Laud in prison together, 102. Caricatures

Willoughby.

- upon him: Laud's enjoyment of same, 102, 103, 103 *note*. Apprentices provoked by him, 185 *note*.
 Willoughby de Parham, Lord, 37 *note*.
 Windebank, Sir Francis, Clarendon on flight of, 32, 33 *notes*. His secret understanding with the Queen and grief at loss of Office, 49, 50 *notes*. His fellow feeling for a cast Courtier, 50 *note* *. Desires to return to England, 67, 68 *notes*. Concerning his connection with the Roman Catholics, 224, 225 *notes*.
 Wiseman, Sir Richard, slain in the Westminster Tumults, 64. Further references to the occurrence, 70. 78. 80 *note*. 185 *note*.
 Wiseman, Thomas (Correspondent of Admiral Pennington), cha-

Young Man.

- rafter and position of, 7. On Palmer's committal to the Tower, 8. On close of Remonstrance Debate, and state of Houses, 8, 9. On the King's reception in the City, 22. On Changes of offices, 29, 30. *notes*. On King's Second Visit to the City, 264—267. 268. His despairing View of affairs, 287. 295.
 Wray, Sir C. (Great Grimsby),
 Wray, Sir John (Lincolnshire), both named on Committee of Safety, 280.
 Wright, Edward, Alderman, Substance of Pemberton's Examination before, 79 *note*.
 Wright, Thomas, Political Ballads (Percy Society Book) edited by, 358 *note*.
 YOUNG Man, Question raised by D'Ewes's use of the term, 198 and *note*. 279 *note*.

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J. F.

THE END.

ERRATA.

PAGE.

91. 5 from bottom (*note*): for "B. Simmons" read "S. Simmons."
 126. Last line }
 137. Last line } for "Archetil" read "Anchetil."
 147. 4th marginal note, for "1828" read "1628."
 280. Line 12, for "Cockerworth" read "Cockermouth."
 370. Last line but one (*note*), for "post 364" read "post 374."
 371. Line 8 from bottom (*note*), for "title" read "letter."
 382. Last line but one (*note*), for "worship" read "lordship."
 389. (*Index*) under "Authorities cited": MS. after *Dering* insert *D'Ewes*. PRINTED, after *Lilly* insert *Ludlow*.
 403. (*Index*) under "Herbert, Sir Edward," for "348. 371," read "378. 381," and *dele* 379.

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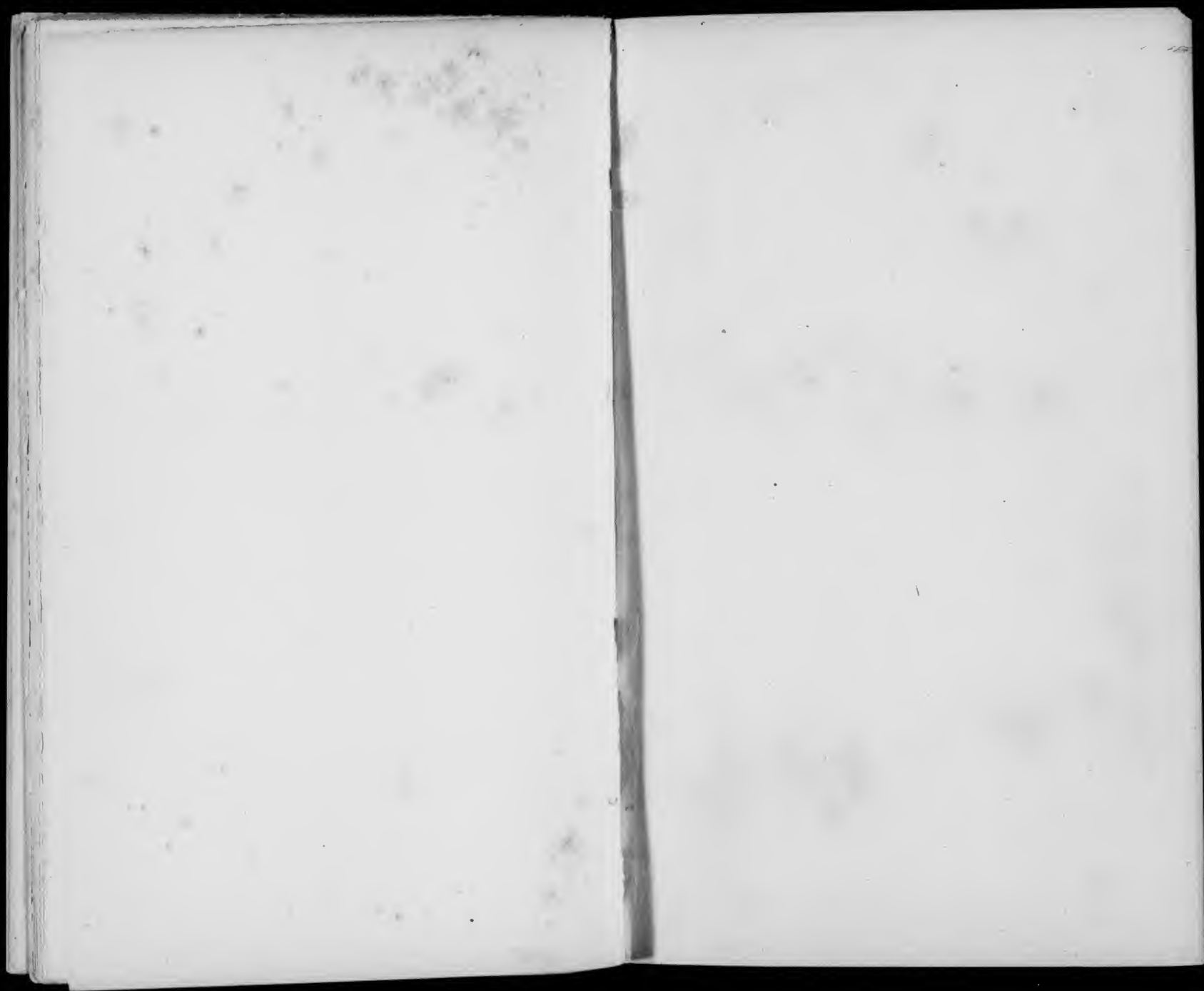
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